

Th. Sect.

THE LIFE

of

JOHN ERSKINE

of DUN.

1509 - 1590.

by

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PREFACE.

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The history of Scotland in the sixteenth century is far from being one of the untilled fields of original research. It is the more surprising that the life of John Erskine of Dun, soldier, diplomatist, and superintendent of the Kirk, has not received the attention which, Dr. D. Hay Fleming encouragingly assured the writer, is warranted by the importance of the subject. About two centuries ago, the indefatigable Wodrow collected such information about Erskine as he could find; a hundred years later, James Bowick wrote a short life of Erskine; and more recently Miss Mary Webster was responsible for two brief notices of the superintendent. But a great mass of material is now available in print, to which Wodrow and Bowick were strangers, and apparently, since the preparation of the Maitland Club edition of Wodrow's Biographical Collections, no systematic search has been made among the national records with the purpose of throwing light on Erskine's career. The bibliography which follows this preface will enable the reader to judge the extent to which accessible sources of information concerning Erskine have been multiplied, particularly by the Historical Clubs and other Societies in which Scotland has been fortunately rich. The unprinted sources in the Historical Department of the General Register House, Edinburgh, have been pretty carefully examined, and it is hoped that little has been missed which could have made this biographical essay more accurate or more detailed: it is much to be regretted that few remains of Erskine's own composition are in existence, and the writer was

sadly disappointed by the poverty of the results which followed an inspection of the Burgh Papers of Montrose.

The almost total disappearance of what must have been the considerable correspondence of Erskine of Dun leaves us without that self-revelation which, ~~of one~~ ^{of one} who impressed his contemporaries so favourably, would have been most welcome, but the record of his life certainly shows us a man of marked energy and industry, sharing in all the activities of the time, and conspicuously successful as an ecclesiastical administrator, if not so deserving of fame as an ecclesiastical statesman; and the information which the writer has been able to supply regarding the finances of the Reformed Church of Scotland may perhaps prove of value, particularly in a fresh assessment of Morton's services to his country, while the impression that John Erskine served the Church as a layman only is shown to be without foundation.

If it be possible to regard Erskine as the most successful of the small band of superintendents to whom was entrusted the supervision of the Protestant Church of Scotland in its early years, it appears probable that the merit of being responsible for the revival of Greek studies in Scotland must be denied to the laird of Dun. But if that claim be surrendered, it is to George Wishart, the martyr, that the credit must be transferred, and the doubts which in this essay are thrown on Erskine's traditional service to learning accordingly escape being merely destructive.

A study of Erskine's life demonstrates how inevitable the Reformation was in Scotland. Apprenticed early to the diplomatic business of the Crown, ready to fight, and to fight hard, against the "auld enemy", intimately concerned in the prosperity of Scottish commerce, ~~and~~ ^{prepared} to play an effective part in the politics of his time, yet withal indisposed to set private gain before national welfare, he stands out as one moved by no unworthy motives to advance the Protestant cause in his native

country. The very caution with which he approached religious revolt may be interpreted as proof of the sincerity of his convictions, once they were strong enough to influence his activities. But in one respect he rose superior to most of his contemporaries. His undoubted zeal for religion did not obscure his judgment in ecclesiastical affairs, and if his moderate temper had been more widely shared by the ministers of the Church it is conceivable that they might have won before the Union a security which was only attained at the Revolution.

In conclusion, the writer gladly acknowledges the ungrudging assistance of Dr. R. K. Hannay, ^{formerly} ~~curator~~ curator of the Historical Department of the Register House, of Mr. W. Angus, his successor, and of the latter's assistant, Mr. McInnes, all of whom were most kind in suggesting possible MS. sources of information and in solving palaeographical difficulties encountered in the search. To the Faculty of Advocates, also, his thanks are due for permission to examine the manuscripts referred to in section B.ii of the Bibliography, and to the Town Clerk of Montrose for his assistance in investigating the contents of the Burgh Record Room.

T. C.

CONTENTS.

Chapter I. Family and Early Years.	1.
Chapter II. 1526-1539.	15.
Chapter III. 1539-1550.	39.
Chapter IV. 1550-1559.	65.
Chapter V. 1559-1560.	85.
Chapter VI. 1560-1562.	113.
Chapter VII. 1563-1566.	137.
Chapter VIII. 1567-1571.	158.
Chapter IX. The Regency of Mar.	184.
Chapter X. The Regency of Morton, 1572-1578. ...	202.
Chapter XI. 1578-1582.	225.
Chapter XII. 1582-1586.	250.
Chapter XIII. Last Years.	273.
Appendices	
A.	287.
B. and C.	289.
D.	290.
E. and F.	291.
G.	293.
H. and I.	294.
J. and K.	295.
L.	296.
M. and N.	297.
O.	298.
P. Genealogical Chart.....	301.

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CHAPTER I - FAMILY AND EARLY YEARS.

The family of Erskine makes its appearance in the annals of Scottish history in the fourteenth century, when David II found in Sir William Erskine a subject whose military performances have been recorded by the poet Barbour.¹ The services of the father were continued by the son, Sir Robert, who succeeded to the lordship of Erskine in 1348². Two years previously the Scottish king had been captured at the battle of Neville's Cross, and in 1350 negotiations for David's release were undertaken by Sir Robert Erskine, who in that year was appointed Lord Chamberlain³. His efforts proving fruitless, a further attempt was made in the following year, when Erskine and his coadjutors succeeded in arranging terms⁴. These, however, were not ratified by the Scots, and a visit which David II paid to his native land in 1352⁵ failed to procure the money required for his ransom, and the unhappy monarch was fated to remain a prisoner in English hands till 1357, Sir Robert Erskine being one of the Scottish representatives to frame the final arrangements⁶.

Erskine's share in these negotiations had apparently provided proof of his capacity and zeal, for in 1359 he was one of three ambassadors sent to secure the renewal of the Franco-Scottish alliance⁷. The burden of debt which the restoration of their king, and his foolish extravagance, had imposed on the Scots was such, that the expenses of war seemed an easy alternative, and, but for the Treaty of Brétigny in 1360, Scotland's active participation in the Hundred Years' War would have been the sequel to Erskine's mission. In the year of the treaty, Sir Robert was appointed to the office of

1. The Bruce, ed. Skeat, 2 vols., Scot. Text Soc.: II, 152-153.

2. Sp. Misc., IV, lxix.

3. Ibid..

4. Ibid., lxx.

5. Dunbar's Scottish Kings, 153 and note.

6. A.P.S., I, 515, 516, 518.

7. Sp. Misc., IV, lxx.

Great Justiciar north of the Forth.¹ The disrepute into which the Crown fell in the later years of David II, and the discontent which his folly aroused among his subjects, made the office of Justiciar anything but a sinecure, for in the west and the north the royal authority was always difficult, and often impossible, to assert. Erskine had further experience of an administrator's trials as a warden of the East Marches,² and towards the close of the reign he was made governor for life of Stirling Castle, and Sheriff of Stirling, having previously been rewarded with an annuity chargeable to the great customs of Aberdeen,³ and he appears to have been governor of Edinburgh and Dumbarton as well.⁴

Dying without an heir in 1371, David was succeeded by the first of the Stewarts, Robert II, and Wyntoun credits Sir Robert Erskine with having been the main instrument in securing his succession.⁵ There certainly can be little doubt that one who had played so prominent a part in the disturbed reign which had closed must have proved an effective ally of any competitor for the throne. In point of fact, Robert the High Steward of Scotland had little difficulty in securing the crown, but the support of Erskine could not fail to inspire confidence in a man situated as Robert was. And so we find established on the throne of Scotland, with the cordial approval, if not by the direct help, of an ancestor of the Reformer, that royal line which was fated to lose a double crown by reason of its insistence on prerogative, against which the whole weight of the reforming movement was directed. John Erskine of Dun has been styled the first Covenanter,⁶ and the

1. Sp.Misc., IV, lxxi.

2. A.P.S., XII, 14.

3. Sp.Misc., IV, lxxi.

4. The Orygynale Cronykil of Scotland, by Androw of Wyntoun: ed. David Laing, Edinburgh, 1879: vol. III, 8.

5. Ibid..

6. Hewison's Cove~~n~~anters, I, 14.

Covenanters focussed in their resistance to the later Stewarts more than the merely sectarian opposition which a reactionary ecclesiastical policy aroused. The foremost Erskine of the fourteenth century, and his more renowned descendant of the sixteenth, each served the house of Stewart, but while the one contributed to its elevation the other was not unconnected with its fall.

The eldest son of this administrator and statesman, Sir Thomas Erskine, resigned his barony of Dun to his second son, by name John, who received a royal charter of the lands in 1392.¹ It is this John who is usually reckoned as the founder of the family of Erskine of Dun, which was thus a younger branch of the Erskines of Mar. The family of Dun almost drops out of notice till a John Erskine, perhaps the third of the cadet line, is found taking to wife a lady of a family long to be on friendly terms with his own, the Grahams of Fintry.² Their son, also John,³ was the grandfather of the remarkable man who is the subject of this book. Espousing Katherine Money Penny in his father's lifetime,⁴ he had at least four sons, Sir John, Alexander, Thomas⁵ - later Sir Thomas Erskine of Brechin, the Secretary - and Robert, who became Dean of Aberdeen.⁶ The first of these took in marriage Margaret, daughter of William, lord Ruthven, and widow of Alexander Stewart, second earl of Buchan.⁷ Two sons and two

-
1. Dun Writs, bundle 1, no. 2. (I have not seen this charter. My authority is an Inventory preserved in the General Register House, Edinburgh, and evidently prepared by or for Sir William Fraser, when he was engaged in preparing his report on the Dun papers for the H.M.C. It is apparently the same charter as appears in brief in the Sp. Misc., IV, lxxiv, where the regnal year is wrongly interpreted by the editor. T.C).
 2. R.M.S., 1424-1513, no. 2044.
 3. Ibid..
 4. Sp. Misc., IV, lxxiv.
 5. Ibid., lxxiv, lxxvii.
 6. Henry VIII's Letters and Papers, XV, 461.
 7. Scots Peerage, II, 268.

daughters¹ at least were born of this union, which was terminated by Sir John's death at Flodden, where his father and his brother Alexander shared the same tragic fate.²

The three generations preceding the soldier, diplomatist and ecclesiastic whose life is the theme of this volume, if not entirely indifferent to the behests of pious custom,³ were more intent on extending their lands by feu⁴ or lease⁵ from the Church, or by purchase,⁶ or apprising⁷ from their lay neighbours. Their relations with the adjacent town of Montrose would appear to have been far from cordial, at all events in 1493; in that year the grandfather and greatgrandfather of the future Superintendent were complained against in that they had behaved towards the council and townspeople of the burgh in the most highhanded and tyrannical manner, even to the shedding of blood.⁸ The matter in dispute between the Erskines and the authorities of Montrose was in all probability the claim by the former to the sole right of the cruive-fishing in the North Esk river, but the lengths to which they went in the assertion of that right, real or pretended, cannot be justified, though typical enough of the age. It was to fall to the most famous of all the family of Dun to heal the breach between burgess and landed proprietor, and to win the esteem and confidence of the citizens in the normally peaceful capacity of provost as well as in the more heroic rôle of military commander against foreign invasion. His military capacity John Erskine of Dun doubtless inherited

1. viz. John, the subject of this volume, (Sp. Misc., IV, 23), ; William, (R. S. S. I, 535), ; Katherine, (H. M. C., Fifth Report, p. 639, no. 55), and Margaret, (Macfarlane's Gen. Coll., II, 269.). See also Appendix P.

2. Sp. Misc., IV, lxxvii.

3. cf. R. M. S., 1424-1513, no. 2044.

4. R. M. S., 1424-1513, no. 3121.

5. Reg. Epis. Brech., II, 303.

6. R. M. S., 1424-1513, nos. 2304, 3780.

7. Ibid., no. 3486. (Apprising was the sale or surrender of land in satisfaction of a debt).

8. Wodrow, Biog. Coll., I, 422-425.

from his forefathers, but the records of his more immediate ancestors give us no hint of that natural gentleness which characterised their noted descendant of the sixteenth century.

As has been mentioned, the mother of our subject was Margaret, dowager countess of Buchan: and, though her marriage to the younger laird of Dun, Sir John, was her second, it was not to prove her last, matrimonial venture. It was a time when marriages, however approved by Heaven, were ~~most~~ ^{most} emphatically made on earth, and to remain single when the chance of conjugal felicity offered itself was rare. Margaret Ruthven was the second wife of Alexander Stewart, Earl of Buchan, and she herself contracted no fewer than four unions.¹ Her second husband was killed at Flodden in 1513, her third, James Stewart of Ryland, whom she married **after** perhaps five years of widowhood, was slain at Edinburgh some time before March, 1524-25,² while her fourth marriage - to William Wood of Bonyton - was annulled in 1534.³ If matrimony proved inauspicious, let us trust that motherhood brought compensation. She bore to her first husband two sons and two daughters,⁴ and, as we have noted, two sons and two daughters to her second. It is easy to suppose that at least in the elder son of her second marriage she found a filial affection which gave earnest of the gentle courtesy which marked his manhood.

The date of John Erskine's birth can be fixed pretty closely. In September, 1513, we know that he was not above five years old,⁵ on 20 December, 1522, he had not reached the age of fourteen,⁶ and in February, 1584-85, he was over seventy-six years of age.⁷ These facts make it certain that he was born

1. Scots Peerage, II, 268.

2. ~~Ibid.~~, IV, 259.

3. ~~Ibid.~~..

4. ~~Ibid.~~, II, 268.

5. Sp. Misc., IV, lxxv.

6. H.M.C., Fifth Report, p. 639, no. 55.

7. ~~Ibid.~~, p. 640, no. 72.

8. A.P.S., II, 378.

very late in the year 1508 or, perhaps more probably, early in 1509. Both dates have been assigned as the year of his birth, and it is not possible to be more definite than to hazard that, as the year was then reckoned to begin on 25 March, John Erskine was born in the closing months of 1508, Old Style. This gives us a wider margin for the early ~~months~~^{weeks} of 1509, reckoning 1 January as New Year's Day, and we cannot be far wrong in taking 1509, which is the more generally accepted date, as that of Erskine's birth. He was thus a year older than his famous contemporary and fellow-superintendent, John Spottiswoode, who, born in 1510, was also left an orphan on his father's death at Flodden¹ and about six years the senior of his more famous friend, John Knox.² What advantage in years John Erskine had over his brother William and his sisters Katherine and Margaret the present writer has not been able to ascertain, but there can have been no great disparity between them in the matter of age.

The standing of the family, as well as the later testimony of George Buchanan³, warrants the conclusion that the deaths of his grandfather and father in September, 1513, left the future reformer not ill provided for. True, their wills⁴ do not denote great possessions, but, under a feudal system of land tenure, it was customary in a last will and testament to detail only movable property, and the apparent poverty of movables is rather a comment on the simplicity of sixteenth century life than a proof of straitened circumstances. In view of the ordinance of August, 1513, granting free relief, wardship and marriage to the heirs of those who died on service,⁵ it is surprising to find that relief was exacted in

1. Spottiswoode, II, 336.

2. Knox was born about 1515 cf. Dr. Hay Fleming's article in "The Bookman" (pp. 193-196) for Sept., 1905.

3. Buchanan, II, 228.

4. H.M.C., Fifth Report, p. 639, nos. 50, 51.

5. A.P.S., II, 278.

respect of the lands of Dun¹; but the chief economic burden which lay on the wealth of the young heir was the provision of a widow's portion to his paternal grandmother, Katherine Moneyppenny, and - presumably - to his mother; and these continued till 1531-32 and 1548 respectively. The good Katherine's assignment is detailed with the utmost particularity in a document of the year 1515.²

The education of the Scottish baronial classes in the early sixteenth century did not follow closely any conventional lines. But there was no lack of educational facilities in the case of the young John Erskine. He is credited with having received a liberal training under his uncle, Sir Thomas³; nor is there anything improbable in this, for Sir Thomas was himself a man with some pretensions to learning. At all events, he had studied at the University of Pavia⁴, and it is difficult to suppose that one who gave ample evidence of industry and capacity in his later years could fail to profit by such an experience in his youth. Another uncle, Robert, a churchman, apparently attained to the dignity of a mastership of Arts⁵. Further, the evident friendship of the family of Dun with Patrick Panter⁶, like Sir Thomas later, the royal secretary, gives rise to the not unreasonable conjecture that an ecclesiastic who had studied at Paris⁷ and at Louvain⁸, and was preceptor of the Maison Dieu at Brechin⁹,

1. Excheq. Rolls, XIV, 551.

2. Sp. Misc., IV, 20.

3. Sp. Misc., IV, lxxv.

4. Henry VIII's Letters and Papers, V, 62.

5. He is styled Maistir in a contract of 1552 (Sp. Misc., IV, 52). Rector of Glenbervie, he became Provost of the Collegiate Church of Holy Trinity, Edinburgh, in 1539 (Ibid., 31). By the next year he had resigned the provostship (Henry VIII's Letters and Papers, XV, 481), on becoming a candidate for the deanery of Aberdeen, which he obtained (Sp. Misc., IV, 48).

6. H.M.C., Fifth Report, p. 639, no. 53.

7. D.N.B.

8. Excerpts from the Register of Louvain University from 1485 to 1527, Pere H. de Vocht: Eng. Hist. Review, Jan., 1922.

9. D.N.B.

would take some interest even in the initial education of the youthful laird of Dun, overseeing it from time to time, if taking no actual part in it. Lastly, there was at Montrose a school which certainly had the best of reputations rather less than half a century later, and readers of Melville's Diary will recall the admirable account there given of the amazingly enlightened curriculum and methods which obtained in the town in his youth, methods, to some extent at least, perhaps not unknown in Erskine's boyhood.

Whether the lad's education was carried out wholly under domestic auspices or partly under extra-domestic conditions, we do not know. In any case, it is certain that the Latin tongue would be its basis, particularly in view of the fact that the act of parliament of 1496, which has occasioned so much mistaken enthusiasm among pedagogic laudatores temporis acti, had prescribed to the eldest sons of barons and freeholders the attainment of "perfite latyne" at the Grammar Schools of the land.¹ The purpose of the act is made plain by the further provision that a University course should be entered upon in order that a knowledge and understanding of Law might be the goal of every such student. It was very important that Justices Depute, who were drawn from the landowning class, should be capable of giving decisions in accordance with the statute law, ignorance of which inevitably led to partial or unjust decisions tending to multiply appeals to the central courts. The acts of the Scots parliament, however, were frequently more reasonable than effective, and the humanistic bias of John Erskine's early training would arise rather from the influence of his guardian uncle and from the force of custom than from parliamentary prescription. That such a bias was imparted is pretty evident from Erskine's later career.

We do not know if Erskine had the benefit of residence

1. A.P.S., II, 238.

and study at a university. No mention is made of such an experience by any authority earlier than Bowick, who says that the young laird was a student at Aberdeen.¹ It seems impossible to secure any verification of this, but Bowick may have had access to documents, now lost, which supported his statement, or it may rest on a now forgotten tradition. There is nothing inherently improbable in the assertion, since the third husband of Erskine's mother, James Stewart of Ryland, was Sheriff Depute of Banff,² and his step-children in all likelihood lived at Ryland, occasionally at least. True, James Stewart met his death when John Erskine was not more than sixteen,³ but Erskine at that age might easily be in the middle of his university studies. One circumstance, however, points to the University of St. Andrews as that to which young Erskine may have proceeded. In July, 1526, John Erskine of Dun made a gift to St. Salvator's College of thirty merks' worth of the lands of the Mains of Dun, redeemable on payment of six hundred merks in gold.⁴ No reason is given for this act of generosity or justice on Erskine's part, but the gift must have been made bona fide, since the redemption was effected fifty years later.⁵ These facts tempt one to think that there must have been some bond between the College and the seventeen-year-old landowner which is not recorded in the imperfect records of the University of St. Andrews. But if John Erskine prosecuted his studies at St. Andrews, or at Aberdeen, or elsewhere, it does not appear that he took a degree. Nowhere is he referred to by the Bachelor's designation of Sir, nor is he anywhere referred to as Magister or Maister. The authorities of St. Salvator's College would doubtless have been the last to omit either courtesy if

1. Bowick, p. 15.

2. H.M.C., Fifth Report, p. 639, no. 54.

3. cf. p. 5.

4. Sp. Misc., IV, 23-26.

5. Ibid., 26.

Erskine had by 1526 taken a degree. In the later records of proceedings of the General Assembly, he is described on occasion as Sir John Erskine of Dun, Knight. This is a patent error, unsupported by the state records of the period, but it is cited here as the only use of a designation which, if unaccompanied by the word "knight", and used earlier in the century, would have possessed academic significance. When he was in the thirties, as we shall see, Erskine probably made some acquaintance with University life, but the anterior matter of his youthful training must remain for the present undecided. No more can be said than that a University career would have been a natural completion of the lad's education, in view of his position and responsibilities, but that no evidence has been found by the present writer to show that Erskine was so equipped. Ill-health, from which he suffered in later years, may have prevented him from leaving home for a university when a youth, and it is perhaps significant that his uncle, Sir Thomas, does not appear to have undertaken any royal employment before September, 1526, by which date his superintendence of his nephew's education might be regarded as no longer necessary.

The records of John Erskine's youth are scanty, and we know nothing specific of the religious environment in which he was reared. By the act of his great-grandfather in 1490, a chaplaincy, which was in the gift of the lairds of Dun, had been endowed in the local parish church,¹ and the ministrations of the chaplain were no doubt available at Dun House. The religious influence, if any, of Patrick Panter, who proceeded to Paris in 1517,² dying there in 1519,³ cannot have left any mark on so young a boy as John Erskine was in the former year.

1. R.M.S., 1424-1513, no. 2044.

2. Henry VIII's Letters and Papers, II, 1438.

3. D.N.B. The William Erskine, who was rector of Duthill and was associated with the laird of Dun, may have been the brother of the future reformer (Sp. Misc., IV, 39, 42).

4. Sp. Misc., IV, 23.

5. cf. McGhie's Life of Andrew Melville, pp. 1, 2.

In any case, commendable as was Panter's zeal for the house of Observant Friars in Montrose, which prospered markedly under his care,¹ he was still unordained when he quitted Scotland, and in 1518 he sought a two years' extension of time wherein to take orders in view of his appointment to the abbacy of Cambuskenneth,² which petition was granted.³ The financial matters between Panter and John Erskine and his guardians⁴ are creditable to the ecclesiastic's generous heart, but one suspects that his religion was scarcely the outcome of a fervent faith.

If we make due allowance for the influence of popular belief, and for the fact that two at least of Erskine's relatives seem to have been churchmen,⁵ there is another side to the matter. As early as 1526 Richard Melville of Baldovv appears as an agent for John Erskine⁶: he was the father of Andrew Melville, the scholar and reformer, and the qualities of head and heart which marked his family⁷ support the assumption that he was a man of vigorous and sterling character. Even early in the second quarter of the sixteenth century, it is difficult to believe that the decadence of the Church had not given an acute observer much food for thought. In 1525, it had been deemed necessary to prohibit the importation of

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1. There were in Scotland thirteen religious houses belonging to the Observant Friars (Scottish Cathedrals and Abbeys: Rev.D.Butler; London and Edinburgh, 1901.p.123, note), and the foundation at Montrose, when in a very decayed state, came under the sway of Patrick Panter, who preserved and decorated its church and increased its endowments (Letters and Papers, II, 1044). In 1518 Pope Leo X granted to this house the use of the Hospital of St. Mary, Montrose (Ibid., 1309), which had been a lazarus (Letters and Papers, III, 8), and in respect of which the sale of indulgences had been sought (Letters and Papers, I-2nd. edit.-342, 514) and apparently granted (Ibid., 802).
 2. Letters and Papers, II, 1438.
 3. Ibid., 1439.
 4. H.M.C., Fifth Report, p. 639, no. 53.
 5. viz. his uncle Robert (cf. p. 7, note), and his cousin, John Erskine, son of Sir Thomas. The latter was rector of Arbuthnot (Sp. Misc., IV, 35) and of Turriff (Letters and Papers, XVII, 613). The William Erskine, who was rector of Duthill and was associated with the laird of Dun, may have been the brother of the future reformer (Sp. Misc., IV, 30, 42).
 6. Sp. Misc., IV, 23.
 7. cf. McCrie's Life of Andrew Melville, pp. 1, 2.

heretical books and the propagation of heretical doctrine.¹ We know, too, that copies of the New Testament in English were being introduced into Scotland in considerable numbers. Wolsey's agent, Hackett, mentions St. Andrews as the principal destination of these volumes,² but Montrose must have had its direct share of these disturbing imports. The connection between the seaport of Montrose and its traders on the one hand and the estates of Dun and Baldovv on the other makes it certain that the young laird of Dun and Richard Melville must have been familiar with the new views on religion and ecclesiastical polity which were beginning to find expression on the Continent. Their established acquaintance, and, in the light of their character, their probable friendship, render it antecedently probable that the movement was a frequent topic of talk between the two. It is easy to exaggerate the importance of this connection between John Erskine and the father of Andrew Melville, but, as will presently appear, the former was to be identified, if unobtrusively, with reforming tendencies before many years had passed, while Melville's eldest son was an associate of Wishart the martyr.³ The surrender of convictions, political or religious, is not a sudden result of mental gymnastic, nor is it unreasonable to suppose that the new teaching was simmering in Erskine's mind long before he reached the point of discrediting the old. His calm temperament, to which there is ample testimony, would act as a brake on the impulsiveness of youth, while the Roman Catholic associations of his earlier years doubtless contributed to deter him from too violent opposition to what was, if not to him lovely, yet to many of those about him of good report.

1. A.P.S., II, 295.

2. The Annals of the English Bible, by Christopher Anderson, 2 vols., London, 1845: II, 409.

3. McCrie's Melville, p. 5. McCrie's error in thinking that it was the future superintendent as whose tutor Richard Melville the younger acted, has long been recognised.

There remains one event of John Erskine's youth to be chronicled. In December, 1522, his tutors, James Stewart of Ryland and his uncle Thomas Erskine of Hatton (later Sir Thomas) consented to his being contracted in marriage to Elizabeth Lindsay, daughter of David, eighth earl of Crawford.¹ The marriage was to take place on John Erskine's arriving at the age of fourteen, at which stage of maturity he was, it appears, also to enter into the possession of his lands. The lady's 'tocher' was respectable rather than princely, the earl binding himself to pay to his prospective son-in-law the sum of seven hundred merks two days before the marriage. The financial gain was more apparent than real, since Erskine's tutors incorporated in the contract their advice that his sister, Katherine, should have set apart as her dowry a year's profits of the whole of his lands when he reached the stated age.

The date of the actual celebration of the marriage is not certain, but it probably took place early in 1523. Whether the young couple lived together then cannot be decided, but one is disposed to think that unlikely. To what extent so early a union bade fair to bring happiness to the contracting parties is a matter of interesting, if not very sanguine, conjecture, and the dispatch with which Erskine hurried, or was hastened, into his second marriage is equally ^{an argument} for the success, as for the failure, of the first. But no evidence appears to exist which might lead us to either conclusion, and from this the charitable may deduce that this precocious venture was at all events not a matrimonial disaster.

Erskine's relations with his father-in-law seem to have been friendly enough, if we judge by the fact that in April, 1525, Crawford sold to him the heritable right of receiving an annual payment of twenty-six pounds, thirteen shillings

1. H.M.C., Fifth Report, p. 639, no. 55.

and fourpence out of the customs of Montrose¹, and it may have been in this year that the husband of sixteen took home his 'Leezie Lindsay! This lady of Dun lived till 1538², and bore to her husband three sons, John³, Robert⁴ and James⁵. All three lived to marry⁶, but it was the second son, Robert, who was destined to succeed his father, whose longevity permitted the son a very brief enjoyment of the headship of the family of Dun. We shall have occasion to refer to each of them later.

1. R.M.S., 1513 - 1546, no. 376: also Sp. Misc., IV, 22, 29: also

Exchequer Rolls, 1538 et seq.

2. Sp. Misc., IV, lxxvii.
 3. R.M.S., 1513-1546, no. 1452: Sp. Misc., IV, 33: etc.
 4. Sp. Misc., IV, 46.
 5. Dun Writs, bundle xxiv, no. 5. It is difficult, perhaps impossible, to ascertain which of John Erskine's children were born of his first, and which were born of his second, marriage.
 6. John married Margaret Hoppringle or Pringle (Reg. Sec. Sig., XVI, f. 5a).
 Robert married Katherine Graham of Morphie (Sp. Misc., IV, 46).
 James was evidently married and left a son, Robert (Dun Writs bundle xxiv, 5⁷: Reg. Sec. Sig., ~~xxxix~~, f. 10a).

1. R.M.S., 1513-1546, no. 376.

2. R.M.S., 1513-1546, no. 1452.

3. R.M.S., 1513-1546, no. 1452.

4. Letters and Papers, IV, 3026. The expenses of Erskine's journey amounted to £66L. 13S. 4D., and in addition he received £200 as part of payment of the present of a horse (L.R.S., V, 434).

It is improbable that his nephew accompanied the royal secretary on this occasion. We know very little of John Erskine's movements between 1527 and 1535, but he was not abroad early in 1528,¹ and in 1530 or the opening weeks of 1531 he was involved in a matter of which no adequate explanation has ever been given. In the bell-tower of the church of Montrose, a chaplain of that church, William Forster by name, met his death at the hands of the young laird of Dun. That Erskine was the cause of the fatality the instrument of assyngment²

CHAPTER II. 1526 - 1539.

John Erskine, the future ecclesiastical statesman, if he had not benefited by an academic education, was to serve an apprenticeship in practical affairs, with the attendant advantages of foreign travel, by being associated with his uncle in the conduct of some at least of the negotiations set on foot in connection with James V's marriage projects. It has been already noted that Sir Thomas Erskine of Brechin (then Thomas Erskine of Hatton) entered the royal service in 1526 as a gentleman and squire of the royal household. By a younger son the appointment was not to be despised, for he was to receive "hors meit and mannis meit to himself, his twa servandis and thre hors, baith symmer and winter,"¹ and rewards of greater value were available for those who earned them. Not later than July of the following year he was made a secretary to the king,² and was given the office of custumar, or collector of customs, at Montrose³. Apparently his talents had not brought premature promotion, for in November, 1530, James V despatched him to the Papal court to communicate to Clement VII by word of mouth certain secrets which the cautious king was unwilling to entrust to his usual agent at Rome, the duke of Albany.⁴

1. Reg. Sec. Sig., I, 532.

2. Ibid., 566.

3. Ibid..

4. Letters and Papers, IV, 3026. The expenses of Erskine's journey amounted to 666L.13S.4D., and in addition he received 300 l. "in part of payment of ane precept of vj^c li." (L.H.T., V, 434).

It is improbable that his nephew accompanied the royal secretary on this occasion. We know very little of John Erskine's movements between 1527 and 1535, but he was not abroad early in 1528¹, and in 1530 or the opening weeks of 1531 he was involved in a matter of which no adequate explanation has ever been given. In the bell-tower of the church of Montrose, a chaplain of that church, William Froster by name, met his death at the hands of the young laird of Dun. That Erskine was the cause of the fatality the instrument of assythment² preserved at Dun leaves no room for doubt³, and the fact that the laird paid compensation to Froster's parents probably indicates that the degree of culpability brought the occurrence within the category of crime⁴. Having said this, however, we have said all that is warranted, and the ascription of the tragedy to Erskine's detestation of Roman Catholic doctrines and practice is a gratuitous advocacy of the possible rather than the probable. A recent reverend historian has even permitted himself the pretty sentiment that the future superintendent "at home had done effective work for" the reforming movement "by dispatching a priest"⁵, assuming a bigotry worthy of death in the victim and righteous wrath on the part of the slayer. A more justifiable deduction from the whole business is that the legal transaction in the house of his grandmother at Montrose, while it freed him from the fear of judicial proceedings, increased the sobriety of Erskine's bearing and induced him the more earnestly to consider those problems of faith and conduct which were exercising his contemporaries. A journey abroad would doubtless have been welcomed under the circumstances, but there is no proof that he left home.

Sir Thomas Erskine was in Rome in February and March,

1. R.M.S., 1513-1546, nos. 566, 569.

2. i.e. indemnification.

3. Sp. Misc., IV, 27.

4. see Erskine's Institute of the Law of Scotland, edn. 1838, 1130.

5. Hewison's Covenanters, I, 14.

1530-31¹. His private business was to ask for Clement's niece as a bride for James V², but he made complaint to agents of the emperor Charles V regarding the English and the French³. Henry VIII's divorce of Katherine of Aragon and the ecclesiastical policy of the English king had set up a barrier between Scotland and her neighbour, while the Peace of Cambray had stamped Francis I as a man forgetful of favours and ignorant of honour. Erskine denounced the French king's indifference to Scottish interests, and the cardinal of Ravenna made the natural suggestion of an imperial alliance; the Scots secretary was more than agreeable; and after Sir Thomas's return home, Sir David Lyndsay was despatched to Brussels, where in July, 1531, he secured the emperor's assent to the proposed arrangement⁴.

At Christmas of the same year James V formed the intention of sending ambassadors both to the emperor and to France. The marriage of the Scottish king was a matter of some urgency, while security against England was all-important, should Henry VIII's policy become anti-Scottish when he found his conciliatory overtures distasteful. The bishop of Ross and the Secretary were chosen to visit Charles V, and the abbot of Dryburgh and Adam Otterburn were selected for the French visit⁵. A change of plan, however, apparently became necessary, for on 19 March, 1531-32, Henry VIII granted safe-conducts to a bishop and a secretary alone of the Scottish representatives who desired to proceed to France⁶, and Sir Thomas Erskine and the bishop of Ross made the journey⁷. A week later Chapuys, writing

1. Letters and Papers, V, 53, 62, 64.

2. Ibid., 53.

3. Ibid., 62.

4. Ibid., 152.

5. Ibid., 278.

6. Ibid., 402, 413.

7. L.H.T., VI, 43, 44. Sir Thomas was paid 504 li. in respect of ordinary, and 307 li. 17s. 6d. in respect of extraordinary, expenses, while the bishop of Ross was paid 630 li. "to help to his furnishing".

from London, informed Charles V that the purpose of these ambassadors was to seek a wife for the king of Scots, and suggested that the lady would prove to be either the Duc de Vendôme's daughter, or Mary of Guise, or the sister of the king of Navarre¹. If this was mere forecast, it showed astonishing acumen, for the first lady was betrothed, and the second married, to James V. In any event, this embassy of 1532, which was absent about four months², must have been entrusted with preliminary negotiations merely, though it is certain that some understanding was arrived at on this occasion, since in January, 1533-34, Sir Thomas feared that any suggestion of his master's marriage to the princess Mary of England would lay James open to French charges of indifference to the obligations of matrimonial treaties³.

News of the main embassy, consisting of the earl of Montrose, the bishop of Dunkeld, Sir John Campbell, and Sir Thomas Erskine, did not reach Thomas Cromwell till July, 1533, and the English minister was then informed that the possible brides were the king of Navarre's sister and the duke of Vendôme's daughter⁴. In point of fact, the embassy did not leave for France till early in the next year, the ambassadors being David Beaton, then abbot of Arbroath, and Sir Thomas Erskine⁵. The Imperial agent in London, Chapuys, entertained Sir Thomas to dinner⁶, when the latter assured his host that his master's marriage was desired by all: even Henry VIII had asked the king of France to find James a wife, provided she was not a daughter of Francis himself. Too close a matrimonial alliance might lead, Henry feared, to a firm political bond, and he did not desire James to be knit too closely to Francis or to

1. Letters and Papers, V, 423.

2. L.H.T., VI, 43.

3. Letters and Papers, VII, 44.

4. Letters and Papers, VI, 390.

5. Lesley's History, 149.

6. Letters and Papers, VII, 43-45.

Charles. Sir Thomas protested to Chapuys that he appreciated Henry's motives and would accordingly take care that his master did not marry in haste. The English monarch had suggested to Sir Thomas that, if Anne Bullen were childless, the king of Scots would be his heir, but this was agreed to be a mere bait to secure recognition of Queen Katherine's divorce. Further, Sir Thomas saw no prospect of Anglo-Scottish peace and had refused a mission to achieve it, so convinced was he that any such attempt was fore-doomed to failure¹. The possible marriage of James V to the princess Mary of England was mentioned at this interview, but Erskine pointed out that it would provide a loophole for French complaint if James were to turn suddenly to an English match, however favourable the Emperor, Mary's cousin, might prove to such a bargain.

One gets the impression that the cautious Scot was at least a match for the imperial agent, and the favour shown to him by Henry VIII and Cromwell² implies his possession of diplomatic gifts which commanded the respect of these shrewd judges.

The instructions received by David Beaton and Sir Thomas Erskine from James V covered both matrimonial negotiations and a political alliance with France³. James's royal heart was set on the princess Madeleine, but he was not indifferent to the financial attractions of a dowry, which he reckoned should amount to 200,000 crowns. If the ambassadors found Francis reluctant to consent to the match they were directed to urge that its celebration would bind Scotland to a French alliance, and if that argument failed it would be evident that the

1. Whether this was Sir Thomas's only reason for refusal is perhaps to be questioned, since he admitted or pretended that Henry VIII considered him too imperialistic, and thoroughly loyal neither to Scotland nor to France.

2. Letters and Papers, VII, 44, 45.

3. Ibid., 81.

breach of the old league was attributable to Francis alone¹.

Apparently on the score of Madeleine's youth, the ambassadors were put off, and they must have returned to Scotland in 1534², probably late in the year, much to James's regret. The secretary of Albany was empowered to soften the refusal with an offer of the hand of Marie de Bourbon, and James agreed to submit the proposal to a meeting of the Estates, though evidently with no great relish³.

It is difficult to believe that John Erskine was abroad with his uncle while this business was afoot. He was certainly in Montrose in January, 1531-32⁴, and was probably at home in the following March⁵. The next reference to the laird of Dun which the writer has found is in connection with David Stratoun, who, along with Norman Gourlay, was hanged and burned as a heretic outside the capital in August, 1534⁶. Now Stratoun had "frequented much the company of the Lard of Dun, whome God, in those dayis, had marvelouslie illuminated"⁷. It must be conceded that this frequenting of Erskine's society may not have extended over many months, and may not have been immediately antecedent to Stratoun's condemnation, but, in the absence of reasonable proof of a continental journey, it affords presumptive evidence that John Erskine did not accompany

1. Letters and Papers, VII, 82. As early as April, 1534, the rumour was abroad in court circles in France that efforts would be made to induce the king of Scots to marry, not the daughter of Francis I, but Marie de Bourbon, eldest daughter of the Duc de Vendôme (Letters and Papers, VII, 219), but, according to popular rumour in Paris in the following month, the Scottish ambassadors bade fair to secure the king's daughter for James, and Henry VIII was supposed to be agreeable (Letters and Papers, VII, 248).
2. Letters and Papers, VIII, 35, 445.
3. Ibid., 35.
4. R.M.S., 1513-1546, no. 1146.
5. Ibid., no. 1217.
6. Calderwood, I, 107.
7. Knox, I, 59.

an embassy which returned from France late in 1534, or even in January, 1534-35¹. And it is important that Erskine's foreign travel should be fixed as accurately as possible in view of the bearing which it may have upon the date of ~~his~~ ~~himself~~ reputed introduction of the first teacher of Greek into Scotland².

If Erskine of Dun remained in Scotland till 1535, much happened in the immediately preceding years calculated to influence him. At the age of twenty-three he must have found himself acquiring the rudiments of military knowledge, as distinct from the mere skill in arms which his position demanded, for in September, 1532, the burgh of Montrose and the sheriffdom of Forfar were, in common with the rest of the country, ordered to hold wapinschaws³. Such a behest was in normal times likely enough to be disregarded, but the ~~large~~ ^{large} men were on this occasion ordered to hold themselves in readiness to march on twenty-four hours' notice, provided with victuals for twenty days. It was the usual form, but there was ample justification for the warning. England and Scotland were

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1. It is to be noted that the members would not be deterred from returning at that season by the dangers of the sea, since, possessing English safe-conducts, they could await favourable weather for the crossing of the Channel.
 2. Apart from the considerations already noted, the reader is entitled to weigh the facts that Erskine's grandmother, Katherine Moneypenny, died in March, 1531-32 (Sp. Misc., IV, lxxvii), which would leave him better able to afford the luxury of continental journeys, and that, probably in 1531 or 1532, John Erskine and his mother became the owners of a house in Montrose (The Stirlings of Keir; ed. William Fraser, 1858, p. 191). There were in the customs of the time sufficient reasons for the purchase of a dwelling in the local town to render unsafe any conclusions that the son contemplated or undertook foreign travel, and desired to see his mother safely settled before his departure. Nevertheless, the house was in all likelihood intended for the mother's occupation. If she was married to Wood of Bonyton by this time, it is probable that the marriage, afterwards dissolved, had already proved a failure.
 3. L.H.T., VI, 109.

1. ~~John Erskine's Scotland~~, I, 361.

2. L.H.T., VI, 130.

3. ~~1518~~, 133.

4. ~~1518~~, 133.

nominally at peace, but the relations between them grew more and more strained in 1532 and 1533. A truce for twelve months was arranged in the latter year, as a result of the French king's intervention, but before that event the mutual raids indulged in by both sides seemed the preliminaries of open war.¹ James could ^{not} be sure of national support if he appealed to force, but at any rate he took precautionary measures. In April, 1533, the burghs, Montrose included, received injunctions for "wapinschewingis to be maid" once more, and "for making of strenthis endlangis the coist"². As the king was in Montrose in May³, it is probable that local activity gave John Erskine, if he was at home, his first lesson in coast defence, and the receipt of letters in July warning all to hold themselves in readiness to resist an English naval descent upon the coast and to "advert that na Inglis schipe arrive thairupoun"⁴ doubtless convinced the young man that the preparations were not ill-timed.

Other matters, however, of greater ultimate importance both to Erskine and to his country, must have demanded his attention. It is unnecessary at this time of day to enumerate the weaknesses of the Roman Catholic Church in sixteenth-century Scotland. The admissions of decadence by the Church itself are numerous enough and grave enough to ensure condemnation of the institution as it existed then, and the Reformation might have come earlier in northern Britain had not James V been impelled by his estrangement from the nobility to seek support from the clergy. Both by early training and by the political relations of the time, national and international, it was difficult for the king of Scots to do other than bolster up the declining church of his fathers, though the necessity

1. Hume Brown's Scotland, I, 381.

2. L.H.T., VI, 130.

3. Ibid., 133.

4. Ibid., 136.

did not deter him from adverse comment on its failings. Assuming that John Erskine was in Scotland from 1532 to 1535, let us examine the events of those years in the light of the religious revolution of which he was to prove so potent an instrument.

In the first of these years, the court witnessed "ane greit objuration of the fauouraris of Mertene Luther"¹, but apparently fear of the new doctrines was not so widespread or so lively as might have been expected from the activity of 1525 and the martyrdom of Patrick Hamilton. But alarm was unmistakably manifest in 1534. In that year the Lords of Council² decided to petition the king to increase the severity of the act of 1525³ and to "causs diligent inquisition be maid baith be spirituell and temporale for distroing of thir new bukis maid be -----lutheris sectis baith in latyne scottis Inglis and flemys"⁴, these words providing us with interesting proof of the variety of the controversial literature which was making its way into Scotland at the time. The Lords of Council further considered that it would be wise "to put in ilk burgh on the see and vther gret tonis of the realme iugis criminall to puneiss sic (i.e. Lutheran) trespasouris, quhair thai ar fundin, baith in persoun and gudis And to assist to the spirituell iurisdiction for executioun making apoun sic personis as thai happin to be requirit", and they were also bent on dealing with "the resettaris and Harbriaris in thair lugeingis of strangeis and vtheris of that sect cumand of furth of vther cuntreis, hidaris and concelaris of sic personis and of thair bukis"⁵.

1. Diur. of Occ., 15.

2. The Lords of Council discharged the functions of the later Privy Council.

3. See A.P.S., II, 341 for the resultant statute.

4. Acta Dom. Conc. et Sess., IV, f. 131a. See Appendix A.

5. Ibid., f. 131b. See Appendix A.

3. Ibid., f. 131a.

4. Ibid., f. 131a. See Appendix B.

This sudden concern for the spiritual welfare of the country was apparently aroused by the receipt of a royal letter announcing that translations of heretical works were finding their way into Scotland through Leith, Edinburgh, Dundee, St. Andrews, Montrose, Aberdeen and Kirkcaldy, and urging the Lords of Council and Session to spare no effort to bring to an end the offensive traffic¹. Provosts and baillies were ordered to prohibit heretical disputations between the burgesses and strangers, and the ^{burghers} ~~(citizens)~~ were enjoined to reveal to the civic officials the residence of any strangers, who were to be warned neither to possess books of Lutheran tendencies nor to engage in arguments on Lutheran opinions². Some feared the violence of their adver-

A further striking provision is worth noting. The ecclesiastical authorities were required to see that no sermons were preached by churchmen, which would foster new opinions among the common people³. Rationalism is most feared when the masses are exposed to its influence, and the Council and Session may well have dreaded what might follow if the clergy took a hand in the movement. If converts to the new doctrines, they would expound their views with authority: if opponents, their ignorance and incapacity might well have the most disturbing influence on their hearers.

It happened that just about this time there arrived in Scotland a messenger with a supply of indulgences, the sale of which was designed to benefit a certain Hospital of the Holy Ghost in Saxia, and the lieges were ordered to "assist, favour and trait him in honest maner"⁴. We have no reason to suppose that the protest of Wittenberg was paralleled in Scotland, but anything less likely to check the ferment of

1. Acta Dom. Conc. et Sess., IV, f. 131a. see Appendix A.

2. Ibid., f. 131b. see Appendix A.

3. Ibid., f. 107. do.

4. Ibid., f. 151 a. See Appendix B.

religious speculation than the officially encouraged sale of indulgences can hardly be imagined.

In the rough times of the sixteenth century it was to be expected that violence would be met by violence, and it is not surprising to read that in 1534 a certain heretic, by name George Gilbert, and evidently a Bachelor of Arts, was forcibly rescued from the hands of the bishop of Brechin, who had been ordered to deal with him¹. And prudence may have dictated to one James Melville, a truant friar of the Observants, the wearing of the "secular habite" of "ane man of weir" when, despite his precautions, he was apprehended in the same year².

Not all who professed abhorrence of Rome were constant in their testimony. Some feared the violence of their adversaries, and in August, 1534, a number of men and women in the presence of the king "brynt thair faggatis with thair opynionis"³. Others were able to escape the civil penalty of religious independence by flight, the sheriff of Linlithgow and others, at this time "fugitive fra the law", being convicted of heresy⁴. But two were faithful unto death, David Stratoun and Norman Gourlay⁵; and if the attitude of the former⁶ is any indication of the views of John Erskine, whose associate he had been⁷, the laird of Dun must then have had little in common with the Church. On the whole, his later history does not bespeak a disposition to shirk the issues which confronted him, but his uncle's standing at court and familiarity with many of the leading prelates, together with his own unassertive nature and doubtful health, may have secured for the young man of twenty-five immunity from persecution.

1. Acta Dom. Conc. et Sess., V, f. 112b

2. Ibid., f. 112b.

3. Diur. of Occ., 18. pers., VIII, 64.

4. Lesley, 149.

5. Calderwood, I, 107.

6. He was "obstinat in his oppinione". Lesley, 149.

7. See ante, p. 20.

5. R.H.S., 1513-1546, No. 1452.

Whether, under the circumstances, Sir Thomas Erskine considered a visit to France likely to wean his nephew from the dangerous doctrines which he was presumably espousing, we cannot tell, but in 1535 John Erskine certainly accompanied his uncle abroad. If intimidation was the card Sir Thomas meant to play, it was an auspicious time for the achievement of his purpose. In that year the law-courts of Paris were busy with the trial of "those wicked heretics, the number of whom is greater than you can imagine"¹, while in January the king had organised a famous procession, on the conclusion of which "Was made a sacrifice to our Lord Jesus Christ of six wicked heretics, who were burned"², surely an infectious reek to which to expose the friend of David Stratoun.

Francis I was anxious to attach Scotland to a French alliance, and to induce James to renounce his arrangements with the Emperor and Henry VIII³. To that end a Franco-Scottish royal marriage was a convenient means, and the relative negotiations were still in progress. In July, 1535, the Scottish king wrote to Francis that he was sending Sir Thomas Erskine and three others to complete the marriage treaty⁴, and the laird of Dun made one of the party.

Perhaps in view of his journey, John Erskine earlier in the year had resigned his estates in favour of his son, also John⁵. The father reserved to himself the use of the lands, surrendering merely the legal title; and his wife's claim to a "reasonable third" in the event of her widowhood was also safeguarded. Such resignations were common, and they represented a possible economy, since the Crown would be willing to accept a smaller relief in return for early payment. But another motive may have lain behind the transaction. In

1. Letters and Papers, VIII, 64.

2. Ibid..

3. Ibid., 65.

4. Ibid., 445. The other three were James, earl of Moray, the bishop of Aberdeen, and John, fifth lord Erskine.

5. R.M.S., 1513-1546, no. 1452.

effect, the succession of the heir was secured beyond any dispute, an arrangement analogous to the strict settlement devised by two Royalist lawyers during the Civil War in England¹. In the same year, Erskine sold part of his lands of **Opago**², whereby he was doubtless supplied with the funds required for his continental journey, and, that he might with an easier mind fare forth upon his travels, the king took his mother and him, with all their possessions, under his special protection, "forsamekle as oure louit seritour Iohne erskin of dun is of our command to pas in oure service in the partis bezond sey"³. A letter⁴ from the king is engrossed in the proceedings of the Lords of Council and Session, who ordain it to have the strength force and effect of their decree. The lords are informed that the ambassadors, the earl of Moray, the bishop of Aberdeen, lord Erskine and Sir Thomas Erskine, together with their suite, of whom are specified Alexander Stewart of Garroles, Robert Stewart of Minto, William Menteith of Kerse, the young laird of Findlater, John Erskine of Dun and Alexander Crichton of Brunstane, are to have for themselves and their heirs exemption from certain

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1. "The Royalist party were, after their defeat, in great danger of ruin. They knew that they had to bear serious and heavy fines, and they feared that a sentence of forfeiture might fall upon them. Hence they employed two lawyers, Palmer and Bridgman, who devised the strict settlement, under which the ancestor (say the father) was made tenant for life, with certain powers, and the descendants (say his sons) were made succeeding tenants in tail. The conveyance, according to Blackstone, was of suspicious validity, and was certainly in contravention of public policy, as it practically created a perpetuity. But after the Restoration the two lawyers became crown officers, and in their administrative capacity gave validity to the devices which they had invented as conveyancers." T.E. Thorold Rogers in Low and Pulling's Dictionary of English History, London, 1911, p. 666(b).
 2. R.M.S., 1513-1546, no. 1462. George Wishart, the martyr, was one of the witnesses to the charter of sale.
 3. Reg. Sec. Sig., II, no. 1733. The entry is undated, but Dr. Hay Fleming assigns it to July, 1535.
 4. Of date 27 July, 1535.

feudal burdens as a return for the trouble and expense which they will incur in the royal service¹.

The royal suitor was growing impatient. Though he was eager enough to obtain an adequate dowry with his bride, especially since he had had to bear the whole financial burden of the late fighting with England through the failure of France to give him any assistance², the Scots representatives were to assure Francis that his friendship was sought more eagerly than his cash was coveted³. That James was not thinking of himself alone, however, is apparent from his desire that the privileges granted to Scottish merchants in Dieppe should be extended to all Scottish traders in the other ports and towns of France⁴.

Though James was thus on the point of widening the breach between Scotland and England, advantage was taken of the passage through England of the Scots ambassadors to instal James by proxy as a Knight of the Garter at Windsor, John, fifth lord Erskine, acting as deputy⁵. On the previous day⁶ a present of plate had been made by Henry VIII to Sir Thomas Erskine⁷, consisting of two pots, three bowls, two flagons, a basin and a ewer, all gilt⁸, the bowls provided with covers⁹. It was a princely gift, weighing some four hundred and fifty ounces,¹⁰

1. Acta Dom. Conc. et Sess., VI, f. 213a. See Appendix C.

2. Letters and Papers, VIII, 450.

3. Ibid..

4. Ibid., 451.

5. Letters and Papers, VIII, 450 and IX, 53. James had been invested with the Order of the Garter at Holyrood House, 21 February, 1534-35 (Dunbar's Scottish Kings, 233), but his stall had not been formally assigned to him.

6. 23 August, 1535.

7. Letters and Papers, IX, 48. There is perhaps room for doubt whether the recipient was not lord Erskine; the index gives Sir Thomas, and, as the Secretary was evidently counted as leader of the embassy (Letters and Papers, IX, 53), Henry's wish to promote an understanding with James would provide sufficient reason for such a gift to Sir Thomas.

8. Letters and Papers, IX, 44.

9. Ibid., 45.

10. The total cost was L109, 10s. 11d. (Letters and Papers, IX, 73), and the cost per ounce 4s. 10d. (Ibid., 45).

but one wonders whether this elaborate and costly garniture adorned the home of the worthy secretary, or was converted into cash where pride of possession gave place to a desire for more profitable assets.

These pleasing and, to the young laird of Dun, no doubt, impressive interruptions to their mission being over, the embassy, to the number of about thirty, attendants included, continued their journey to France¹, and arrived at the French coast about the middle of September. James V was naturally anxious to know if his future bride were attractive in her person, and the ambassadors proceeded to La Fère, the residence of the duc de Vendôme in Picardy, about the end of September or early in October to see the lady for themselves². They were expected at Dijon about 11 October with the lady, and there she was to be betrothed to James³. By the nineteenth they had reached Dijon, but unaccompanied by Vendôme or his daughter, and it was rumoured that there were difficulties in the way of the marriage⁴. The lady, we know, was plain, but the difficulty seems rather to have arisen over the dowry: the cautious James had demanded that the dowry of 200,000 francs and the bride's pension of 15,000 francs should be approved by the Parlement and the Royal Chamber, and to this Francis would not agree, though he undertook to pay what he had promised⁵.

On 7 November, the Scottish ambassadors were reported as having the intention of proceeding to Paris, there to await news of James⁶, but, if they went, they did not stay long in the capital, for they were back in Dijon twelve days later⁷.

1. Letters and Papers, IX, 53.

2. Ibid., 181.

3. Ibid., apparently was still permitting his thoughts to con-

4. Ibid., 216. Madeleine (L. and P., IX, 321).

5. Ibid., 229. Scotland, I, 363.

6. Ibid., 265. Papers, X, 50.

7. Ibid., 286.

Apparently matters ^{were} not going to the satisfaction of the Scots, and Sir Thomas set out for Scotland, reaching London not later than 9 December, when he dined with Thomas Cromwell¹.

In the last days of December, Erskine reached Stirling, where he acquainted James with the progress of affairs and handed over letters from the other ambassadors who had remained in France², where John Erskine of Dun also presumably stayed during that winter. Sir Thomas was entrusted with a message, the details of which would be most interesting, were they available, to the effect that ~~he~~^{James} did not value what was usually dear to men³. Whether this was an argument touching the princess Madeleine's youthful unfitness for marriage⁴, or referred to the unfortunate Marie de Bourbon's physical deformity⁵, or was an intimation that the question of the dowry was not incapable of settlement, is uncertain; but Erskine must have set off again for France forthwith, for Reid and he had an interview with Thomas Cromwell on 8 January, 1535-36⁶. Katherine of Aragon had died only the day before, and the altered international relations, which Katherine's death rendered possible, must also have been present in the mind of the English Chancellor, for he took pains to give the Scots the

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1. Letters and Papers, IX, 323. An entry of 12 December, 1535 (L. and P., IX, 321) might seem to contradict the possibility of Sir Thomas's presence in London on 9 December, but he certainly reached Scotland before the end of that month, and travelling would be slow at that time of year. At the interview with Cromwell, Erskine announced that nothing had been concluded with regard to Vendôme's daughter, and Sir Thomas was far from satisfied with the protraction of the negotiations, and hinted that James might look elsewhere than to France for a wife. Robert Reid, abbot of Kinloss, had returned from France with Sir Thomas, and the two had an interview with Henry VIII, who offered them certain advice regarding the marriage of their King, but its nature does not appear (Letters and Papers, IX, 361).
 2. Letters and Papers, IX, 361.
 3. Ibid..
 4. James apparently was still permitting his thoughts to centre round Madeleine (L. and P., IX, 321).
 5. Hume Brown's Scotland, I, 383.
 6. Letters and Papers, X, 50.

5. Preparations for a projected attack upon Milan were in progress, and Savoy was in fact occupied in 1536.
6. Letters and Papers, X, 50.
7. Ibid., 30.

impression that Charles V's representative in London and himself were on excellent terms, in spite of the reflections which Katherine's death was certain to have aroused. Henry VIII and Cromwell had not surrendered all hope of securing a Scottish alliance, though an effort of a few months earlier had fared badly¹, and about the time of Cromwell's interview with Erskine and Reid it was proposed to make another attempt to persuade James to withdraw his obedience from the Apostolic See², the English king having perhaps been persuaded of its possibility of success by James's protestation³ that he was bound to have consideration for the honour and weal of Henry and his subjects both by the natural bond of love and by the late league of amity⁴. The assurance was doubtless a mere diplomatic courtesy; at all events, the second effort to secure an Anglo-Scottish entente was no more successful than the first. Other conversations between representatives of Henry and the two Scotsmen may well have taken place, for the latter were still in England on 23 January, on which date, or soon after, they took ship from Rye for Dieppe, expecting to have to travel to Lyons⁵ for their next interview with the king of France⁶.

Meantime, what of the ambassadors who had remained in France? Apparently they spent in Paris at least part of the period of waiting for news of James's decision⁷. The activity of the French court against heresy in 1535 and the scenes of cruelty which Paris had witnessed in that year made the capital a singularly dangerous place for any unorthodox visitor who could not keep his tongue between his teeth; and, when we recall the public announcement of the king that he

1. Diur. of Occ., 19; Letters and Papers, X, 53; Hume Brown, I, 382.

2. Letters and Papers, X, 53; Hume Brown, I, 383.

3. Of date 30 Dec., 1535.

4. Letters and Papers, IX, 361.

5. Preparations for a projected attack upon Milan were in progress, and Savoy was in fact assailed in 1536.

6. Letters and Papers, X, 60.

7. Ibid., 30.

would show no mercy to heretics, even to his own children, together with the refinements of cruelty which characterised the execution of the condemned¹, we may question if even membership of an embassy would have proved an adequate protection, had protestant zeal outrun discretion of speech. But John Erskine must have heard much regarding the royal attitude towards a sect whose boldness at the time exceeded that of their Scottish brethren, and the possibility of Scotland's having to face similar calamities would indicate a need for prudence, and may have produced a disposition on Erskine's part to retrace the steps by which he^{had} approached religious revolt².

When Sir Thomas Erskine and the abbot of Kinloss arrived back in France, they had James's authority to agree to his marriage with Marie de Bourbon, and the Duke of Albany was associated with the ambassadors originally selected in the task of negotiating the treaty, which was made at Cremien on 6 March, 1535-36, and confirmed on 29 March³. Sir Thomas and Reid would seem to have left for Scotland soon afterwards, for they were in London in April, 1536, when among Cromwell's disbursements were payments to the two Scotsmen, Sir Thomas receiving twice the amount bestowed on his colleague⁴. On their arrival home, they found there the abortive embassy already referred to⁵, but the task of temporising with the English mission had not sufficed to cool the king's ardour for marriage, rumours being abroad that he had decided to secure a divorce for Margaret Erskine⁶, wife of Sir Robert Douglas of Lochleven, in order that he might marry her, a

1. cf. John Calvin by H.Y. Reyburn, London, 1914, p.31.

2. See page 38

3. Letters and Papers, X, 228.

4. Ibid., 240. The sums were 46L.13s.4d. and 23L.6s.8d.

5. See p.30.

6. James had already had by this lady a son, known to history as James Stewart, earl of Moray, and destined to be closely associated with John Erskine. The royal mistress was the daughter of lord Erskine.

project displeasing to James's subjects¹. The English ambassador, who reported this proposal, also repeated a rumour that the marriage between James and Marie de Bourbon would not take place, but the possibility of his being deliberately hoodwinked must not be overlooked. Whatever matrimonial intentions James had entertained, however, in the absence of his own ambassadors were at once set aside on his receipt of the news from France. He started out to see his betrothed for himself in July, 1536, only to be driven back by contrary winds, but fortune smiled on his second departure in September. If propitious to his journey, Fate frowned upon its purpose, for James found the lady so unprepossessing that the idea of marriage with her was intolerable, and ultimately Francis consented to the marriage of the Scottish king and the princess Madeleine, "quhairfoir the said Duik of Vandomes sister (sic) refusit at all tyme eftir to marye any uther, bot advowit hir self to ane religious place quhair sho reman-it the rest of hir dayis"². The wedding was celebrated on 1 January, 1536-37, and the royal pair landed at Leith four and a half months later. But the union was dissolved by the unhappy death of the delicate young queen only seven weeks after her arrival in Scotland³.

If John Erskine remained in France until the king left for home with his young bride, there were some in Montrose who must have taken a more than loyal interest in the preparations which the burghs, in common with the whole country, were ordered to make "agane the kingis gracis hame cuming"⁴, for the wife and the mother of the laird of Dun must have

1. Letters and Papers, X, 309.

2. Lesley's History, 149.

3. Hume Brown, I, 383, 384.

4. L.H.T., VI, 311.

counted the days as they slipped away between July, 1535, and May, 1537. Doubtless they had from time to time received news from France in letters carried home by Sir Thomas Erskine or some other bearer, but letters are a poor substitute for the sender himself.

On his return from what cannot be described as a markedly successful diplomatic errand, John Erskine received at least two proofs of royal willingness to take note of his services, though the capacity in which he had rendered them had been inconspicuous. First, he was made custumar of Montrose for all the days of his life¹, thus succeeding his uncle. How long he retained this office is not clear from the accounts of the Lords High Treasurers, but he certainly possessed it in 1556², though the work was evidently entrusted to a deputy, and he was confirmed in its possession in July, 1566³. In the second place, he received the gift of the non-entry⁴, profits and relief of the lands of Newbigging in the sherifffdom of Forfar⁵. The number of estates of that name in the sherifffdom renders it well-nigh impossible to determine which of them provided John Erskine with tangible proof of royal goodwill, but it is significant that he was not yet so outspoken an advocate of religious reform as to incur the king's displeasure.

It was in this year, 1538, that George Wishart fled from Montrose. Petrie says of him: "As I being young have heard of very antient men, he had been Schoolemaster of Montros, and there did teach his disciples the new testament in Greek: for this fault he was delated unto the Bishop of Brechen in time

1. Reg. Sec. Sig., II, 2461. 8 March, 1537-38.

2. ~~H. R.~~, XVIII, 335.

3. Reg. Sec. Sig., XXXV, f. 51 a. See Appendix F.

4. "Non-entry is that casualty which arises to the superior out of the rents of the feudal subject, through the heir's neglecting to get the investiture renewed after the death of his ancestor". Erskine's Institute of the Law of Scotland, edn. 1838, p. 282.

5. Reg. Sec. Sig., MS. vol. XIII, f. 4a. 12 May, 1538.

of the persacution An, 1538. when he was summoned to appear, he fled"¹. Now Wishart was an acquaintance, if not then a friend, of Erskine², and the fact that the former found it necessary to flee the country for the reason stated lends additional interest to the inquiry, which now demands attention, into John Erskine's introduction to the town of Montrose of Pierre de Marsilier as a teacher of the Greek language.

The date not uncommonly assigned to this event is 1534, and the Frenchman is generally credited with being the first to teach Greek in Scotland, but there is reason to question both beliefs. Wodrow, whose knowledge of Erskine's early years was very limited, makes some bold statements on the latter's services to learning, but does not venture to fix the date of de Marsilier's appearance as a teacher³. McCrie goes a little farther and, apparently arguing somewhat hurriedly from Wodrow's assertion that Erskine returned from his travels in 1534⁴, gives that year as the date of de Marsilier's arrival⁵. If McCrie is correct, it follows that George Wishart almost certainly was a pupil of de Marsilier, and the questions at once emerge - why did not the activity against Wishart involve John Erskine in difficulties, and how did de Marsilier manage to continue without molestation his Greek teaching down to the time when Andrew Melville was his pupil? Mention of Andrew Melville raises another point. In 1557 or thereby Melville was certainly learning Greek at Montrose, and, on the testimony of his nephew, Pierre de Marsilier was his teacher⁶. The younger Melville's remark that Greek was a study "nocht hard of befor"⁷ may have resulted from ignorance or forgetful-

1. Petrie's Compendious History, Century XVI, pt. 2, p. 182.

2. cf. p. 27, note 2: also Melville's Diary, 12.

3. Biog. Coll., I, 5.

4. Ibid..

5. McCrie's Life of Knox, edn. 1860, p. 4. Sheriff Mackay accepts this and argues from it in his article on George Wishart (D.N.B.) but Dr. Hume Brown is more guarded in his Life of Knox, I, 300.

6. James Melville's Diary, 31.

7. Ibid..

ness, but, if so, it is worthy of note that he makes no mention either of the subject or of the teacher when discussing his own father's education¹ which undoubtedly was in active progress between 1534 and 1540. In view of the fact that John Erskine was not at that time in open opposition to the ecclesiastical authorities, it is difficult to believe that he had then established a teacher of Greek in Montrose. It is probable however, that his association with Wishart, implied by James Melville, together perhaps with what he saw and heard while in France, convinced him of the importance of Greek studies. Francis I had established the Collège des Lecteurs Royaux in 1530, with Pierre Danès and Jacques Toussaint as the instructors in Greek, two lecturers in Hebrew, and (later) a teacher of Latin, and Guillaume Budé was still alive when John Erskine visited France as a member of the matrimonial embassy. Accordingly, he might feel a call to secure a substitute for George Wishart after the future martyr was delated for his encouragement of Greek learning, and it seems probable that Pierre de Marsilier took Wishart's place. There is little warrant for accepting the year 1534 as the date of de Marsilier's arrival, nor need we discredit Petrie, who was a most careful historian, when he records that Wishart engaged in Greek teaching. Erskine, it is true, might have persuaded his uncle to procure for him on the continent a teacher of Greek as early as 1534, but nothing approaching contemporary evidence supports the date, whereas John Erskine was, as will appear, to have a later opportunity to import a Greek scholar, and at a time when the need for one would be more apparent, viz. in 1543, when Wishart was no longer available; and possibly another chance in 1550-51. The earlier of these dates is probably the more likely to be correct, but in either case the claim for John Erskine, that

1. James Melville's Diary, 12.

he was the pioneer patron of Hellenic studies in Scotland, would appear to require qualification.² The royal widower had no intention of remaining so, and, Madeleine having died in July, 1537¹, David Beaton was dispatched with immoderate haste in the following month to France to announce the death of the queen and to secure her successor. By the end of December the success of Beaton's mission was known in Scotland, and Sir Thomas Erskine and the abbot of Kinloss were selected, presumably as personae gratae to Henry VIII, to announce to the king of England that his nephew was contracted to marry² a lady, Marie de Lorraine, on whom the amorous Tudor heart was then set³. Well had it been for Thomas Cromwell, perhaps, if the uncle had won the nephew's bride, but Marie landed in Fife in June, 1538⁴, and Cromwell, ambitious of being the power behind the throne, turned to the negotiation of his master's marriage with Anne of Cleves.

A month after the arrival of James's second bride, John Erskine was left a widower⁵. But he was no more anxious than his king to sit and mourn, for he married again, probably in the following January, 1538-39. James, by his second marriage, had barred and bolted the door against an English alliance. His queen's fervent Catholicism committed him to unyielding opposition to the Reformation movement. These considerations render the more remarkable the fact that the laird of Dunchose chose his second wife from among the ladies who came to Scotland with Mary of Lorraine⁶. Barbara de Beirle, "daughter to

1. Dunbar's Scottish Kings, 234.

2. Letters and Papers, XII, pt. 2, 448.

3. Ibid., 449.

4. Dunbar's Scottish Kings, 235.

5. Sp. Misc., IV, lxxvii.

6. George, fourth lord Seton, was handfasted in February, 1538-39, to another of these ladies, Marie Pieris, who later became his second wife (Scots Peerage, VIII, 584), but Seton never displayed any disposition to adopt Protestant views. Seton and Erskine were two of the eight commissioners for the marriage of Mary Queen of Scots in 1558.

the Lord Camnecourt", was a native of Picardy¹, and in all likelihood was innocent of any trace of Protestant sympathy at the time of her marriage. That the wedding met with the approval of the court is evident from the provision of royal plate to grace the attendant festivities at Linlithgow². But this circumstance merely adds to our astonishment. Here was a young man of thirty, who beyond reasonable doubt had already shown himself favourable to religious reform, to all appearances discarding his convictions and allying himself with the forces arrayed against doctrinal or ecclesiastical change. Had Sir Thomas Erskine succeeded in weaning his nephew from disquieting speculation? Did a pretty face dispel from Erskine's thoughts and conscience the doubts which had beset him? Had the gaiety of the court of France seduced him from a habit of religious contemplation and inquiry, or its bigoted cruelty weakened his resolution?

It is idle to guess. The friend of Wishart and of Knox, the man who three years later was to send his son to study under Melancthon, may indeed have forsaken for a time the narrower and more difficult path, which he had elected to tread, for the more open spaces of royal favour. "The best of men are only men at their best", and a man's best is not always attained in early manhood.

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1. Macfarlane's Genealogical Collections (Scot. Hist. Soc.) II, 152-3.
 2. L.H.T., VII, 129.

endure banishment, while four clerics and a layman suffered death by fire. In the following year Sir John Borthwick was condemned in absentia, his offence being that he had denied the supremacy of the Pope and the validity of indulgences, inveighed against simony, urged clerical poverty and counselled the royal appropriation of church lands², and he was burned in effigy at the market cross of St. Andrew's. In 1541 the castle of Edinburgh saw two victims of religious bigotry, one of them a priest.

CHAPTER III. 1539-1550.

The previous chapter closed on a note of interrogation, and the years from 1539 to 1542 serve to confirm our suspicions of Erskine's consistency though they fail to supply a reason for his ^{change} of attitude. At home, James V was rapidly alienating his nobility, while he depended more and more on a church instant in the persecution of heresy. The nobles in turn found in the movement for church reform a convenient pretext for opposing both the crown and the prelate who was at once an instigator and an instrument of the royal policy. Abroad, Protestant England was no longer a hopeful suitor for a Scottish alliance, but was ever on the watch for causes of offence. On political and ecclesiastical grounds alike, James and Cardinal Beaton were bent on cultivating the friendship of Catholic France. Meantime, the evidence of continued royal favour towards Erskine of Dun points to the conclusion that worldly prudence or natural timidity, wifely persuasion or the influence of an uncle committed by conviction and self-interest to the furtherance of the king's will, drew the young man from the course which he had seemed bound to take, to wit, the championship of Protestant doctrine and consequent opposition to the throne.

George Buchanan¹ and Bishop Lesley² both remark the anti-heretical activity of 1539, the former being one of many to

1. Buchanan, ^{Hist.} II, 166.
2. Lesley, 157.

endure banishment, while four clerics and a layman suffered death by fire¹. In the following year Sir John Borthwick was condemned in absentia, his offence being that he had denied the supremacy of the Pope and the validity of indulgences, inveighed against simony, urged clerical poverty and counselled the royal appropriation of church lands², and he was burned in effigy at the market cross of St. Andrews³. In 1541 the castle hill of Edinburgh saw two victims of religious bigotry, one of them a priest, burned to death⁴.

That John Erskine and his relatives were in favour at court, there is abundant proof in contemporary records. He himself in 1540 had a gift of the relief wardship and marriage of the heir of David Chalmer of Newbigging⁵ and a similar gift in respect of the lands of Crago⁶, while in 1541 he was perhaps chosen to the office of Justice Depute⁷. His uncle Robert, rector of Glenbervie, became provost of the Collegiate Church of Holy Trinity, Edinburgh, in 1539⁸, but in the next year was recommended by the king to Pope Paul III for the deanery of Aberdeen⁹, to which he was appointed¹⁰. Sir Thomas Erskine, whose services to James had naturally merited recognition, obtained in 1540 the renewal of the crown feu of the lands of Brechin and Nevair¹¹, revoked, as were all grants made during the royal minority, in 1537¹². In addition he was granted in 1541 the office of Constable of Montrose¹³. This was a post of profit as well as of honour, since it conferred

1. Lesley, 157.

2. Keith, I, 335-341. John, lord Erskine, was one of the judges and the bishop of Brechin was another.

3. Lesley, 159.

4. Diur. of Occ., 23.

5. 7 January, 1539-40. Reg. Sec. Sig., II, 3262.

6. 19 May, 1540. Ibid., 3492.

7. Exchequer Rolls, XVII, 772. "Ane commissioun of justiciarie to ane John Erskin". The two entries which follow refer to Forfar.

8. See note 5, p. 7.

9. Letters and Papers, XV, 481.

10. Sp. Misc., IV, 48.

11. A.P.S., II, 377.

12. Hume Brown, I, 384.

13. Sp. Misc., IV, 39.

upon the holder the right of applying to his own use any fines which he inflicted in the exercise of his criminal jurisdiction during fairs in the burgh. Lastly, in the following year, James petitioned the pope to license Sir Thomas's son, John, to hold the deanery of Brechin while retaining the parishes of Turriff and Arbuthnot¹.

It is surely a legitimate deduction from these facts that John Erskine of Dun was no plain-spoken critic of existing conditions. Had he been so, his relatives might have been no losers, but he himself could hardly have shared in the royal generosity. It is probable enough that no unassailable explanation of his apparent acquiescence is to be found, but there can be little doubt that his progress towards revolt underwent a check about this time².

Erskine's worldly affairs prospered during the period under consideration. The death of his first wife had not terminated his relations with the house of Crawford, for in 1541 sasine was given to him of an annual payment out of the great customs of Aberdeen by order of his father-in-law³. About this time, too, he displayed an interest in secular affairs by assuming the duties of provost of Montrose, in which capacity we find him becoming the lessee of certain burgh lands⁴, and as provost it may have fallen to him to welcome, possibly even to entertain, the king and queen when making their way south to Dundee in the course of the royal progress which they undertook in that year. The affairs of Sir Thomas Erskine, on the

1. Letters and Papers, XVII, 613.

2. The fact that he was willing to traffic in the property of the Church, by leasing for nineteen years the teinds of the parish of Dun from the prioress and nuns of Elcho (2 March, 1539-40. Sp. Misc., IV, 33), while far from confirming, does nothing to diminish, the doubt.

3. Sp. Misc., IV, 38.

4. R.M.S., 1513-1546, no. 2589.

contrary, seem to have been unsatisfactory, for in February, 1541-42, on the ground of known and urgent need he sold to his nephew the Constabulary of Montrose¹, and on the same day set in feu to the laird of Dun his lands of Lichtonhill and Arrot². The world went very well then with the future superintendent of the reformed Church of Scotland, and the list of his lands in a royal charter of confirmation of 1542³ affords incontestible proof that he was then a man of ample means.

But if John Erskine for a space experienced the temptation of the rich young ruler to set possessions above principles, we are justified in assuming that certain searchings of conscience assailed him from time to time. It would have been strange had it been otherwise. And the proof is found in the journey which he took in 1542. This, contrary to the usually received notion, appears to have been the first occasion on which he visited the continent on private affairs. He is commonly believed to have been abroad in 1537 with permission to travel in France, Italy and elsewhere on his lawful business⁴. But this error arises from an editorial misreading of the regnal year in the Miscellany of the Spalding Club⁵, an error corrected in the Fifth Report of the Historical Manuscripts Commission⁶. Royal permission for the journey was first given in April of the later year, the licence covering a period of two years and applying to John Erskine of Dun, his cousin Thomas, son of Sir Thomas, and John Lamby of Duncany⁷. Less

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1. Sp. Misc., IV, 40; R.M.S., 1513-1546, no. 2599; Reg. Sec. Sig., XV, f. 96a (the second folio so numbered).
 2. R.M.S., 1513-1546, no. 2598; Reg. Sec. Sig., XV, f. 96a (as above).
 3. R.M.S., 1513-1546, no. 2640; Reg. Sec. Sig., XV, f. 106a.
 4. cf. Hume Brown's Knox, I, 299, and D.N.B. article on Erskine.
 5. Sp. Misc., IV, 30.
 6. Op. cit., p. 639, no. 58.
 7. H.M.C., Fifth Report, p. 639, no. 57; Sp. Misc., IV, 43.

than a month later, another licence was issued¹; John Lamby is not mentioned, but in his place appear John Erskine of Dun's eldest son, John, and Master William Erskine, parson of Duthill, who perhaps was the laird's brother². It is impossible to avoid asking if the change of personnel was the only reason for the seeking of a fresh royal permit, for there is another significant difference between the first licence and the second. In the latter the grantees are permitted to remain overseas for three years while they do "thair pilgrimadis besynes and vthir lefull erandis". Had it been necessary to resort to pardonable duplicity by hinting at pious and orthodox purposes to obtain the permission of a prelate-ridden king to visit abroad where the gauntlet of heresy would have to be run? The question is not answerable, but as to the real motive for the journey there can be little argument. Though he is not mentioned in either licence, Richard Melville the younger of Baldovy was to form one of the party, and both from this fact, and from the capacity in which he travelled, and from the experiences of the pilgrims when they reached the continent, it is evident that the motive was none other than the pursuit of knowledge and the search for truth in those very parts of which it would have been hopeless to secure royal approval, the northern Protestant lands of Europe.

James Melville, the diarist, tells us that his father, who was born in 1522, was chosen about the year 1542³ to be pedagogue to James Erskine "appeirand of Dun", an obvious slip for John Erskine, who was then his father's heir. Richard Melville had sat at the feet of George Wishart, or was to have that experience later, and with his pupil he proceeded to the continent "whar he remeaned at the studie of letters, namlie,

1. H.M.C., Fifth Report, p. 639, no. 58; Sp. Misc., IV, 30, wrongly dated 1537.

2. But see note, p. 63.

3. Melville's statement is that his father was chosen after he was twenty years of age.

Theologie, first with Doctor Macabeus, in Denmark, and thereafter a heirar of Philip Melancton in Wittenberg, be the space of twa years"¹, an eminently profitable training for a young man who after the Reformation was to serve as parish minister of Maryton². The venture was profitable in more ways than one, for the year 1542 saw the disgraceful Scottish defeat at Solway Moss, where, if few were killed, many were drowned, and that disaster might easily have taken heavy toll of the party which set off on a sixteenth-century equivalent of the grand tour, had its members remained at home³. It is assumed with the justification of probability that, if the Erskines were granted permission to travel abroad together, they had a common errand in view and were in one another's company during the period of absence. If this be granted, it follows that John Erskine, his son, his cousin and possibly his brother came under the influence of two of the most distinguished Protestant teachers and scholars of the time, and that at a most critical period, when Scotland was on the threshold of a long royal minority and the forces of revolt, religious and political, were to gather head till they were able to sweep away the crumbling institution which barred the way to a healthier national life.

From 1532 to 1534 Maccabeus⁴, the name a latinised form of Macalpine or MacCabe, had been prior of the Dominican convent at Perth, but, imbibing Protestant ideas, and being accused of heresy at the same time as Gourlay and Stratoun, fled to England whence he journeyed to Germany and studied at Wittenberg or Cologne. He had ample opportunities of meeting

1. Melville's Diary, 12.

2. McCrie's Melville, 1.

3. See Sp. Misc., IV, 44. for orders received at Dun concerning levies for the Scottish host: also Keith, I, intro., pp. CVI, CVII. From the document it would appear that Sir Thomas Erskine had the superintendence of Dun during the laird's absence.

4. See D.N.B., under Macalpine.

the leading reformers, and in 1542, on the invitation of Christian III, King of Denmark, settled in Copengagen as a professor. John Erskine of Dun and the newly appointed professor, if they had not met before the latter's flight from Scotland, must have had numerous common friends, and the influence which the exiled theologian would be able to exercise doubtless sprang as much from the teacher's natural interest in the pupil as from the pupil's returning devotion to the matter taught. In any case, the theological training to which Erskine submitted himself was grounded on the Lutheran, not the Calvinistic, system, and in this fact may perhaps be detected a reason which, not unassisted by many purely secular experiences in Erskine's life, led him later to concede to the State a degree of control over the Church to which the more democratic Calvinism could not possibly assent. From Copenhagen, after a stay the duration of which the writer has no means of determining, the little band travelled to Wittenberg to sit for a time at the feet of Philip Melancthon. And here again we have an influence the after-effects of which are perhaps discernible in the later history of Erskine of Dun, for Melancthon, though an early convert to Luther's principles, was among the most moderate reformers of the age; and the admitted moderation of Erskine's attitude, when circumstances conspired to foster a fanatical ebullience, may have been due in no small measure to the dispassionate temper which he encountered in Melancthon. The influence of the latter, a Renaissance scholar whose Greek studies were directed to the elucidation of doctrinal theology, may well have been a decisive factor in persuading Erskine to introduce a teacher of Greek to Scotland, if the arrival of Pierre de Marsilier in Montrose was one result of this sojourn abroad on the part of his patron. As has been already indicated, that event can with very doubtful propriety be assigned to a date so early as 1534, and the subsequent eight or nine years provide us with no valid reasons for

believing that Erskine's service to learning was rendered previous to the period of University study which began in 1542. The present writer is therefore disposed to suggest the year 1543 as that of de Marsilier's appearance in Scotland, though with the diffidence of conjecture. It is a matter for regret that no more is known of the forces at work on the laird of Dun during this period of residence on the continent, which terminated not later than January, 1543-44¹. James Melville gives two years as the duration of his father's continental studies, and in April, 1543, a safe-conduct was craved from Henry VIII, entitling John Erskine at any time within the following twelve months to travel, with eight companions or fewer, through England in safety to Scotland "for eschewing of the truble and danger of seyis"². The actual date of his return is not of great consequence, but it may have been prior to 20 September, 1543, when Sir Thomas Erskine sold to the laird of Dun and his wife, Barbara de Beirle, the lands of Kirkbuddo in conjunct infeftment³.

The political condition in which Erskine found his country upon his return to it was extremely difficult. On the death of James V in December, 1542, after the disaster of Solway Moss, Beaton had attempted to foist on the country a spurious royal will nominating himself and three Catholic nobles to the governorship of the realm, but James, earl of Arran, as next in succession to the throne after the infant

1. Diur. of Occ., 30.

2. Hamilton Papers, I, 521; Letters and Papers, XVIII, pt. i, 249.

3. R.M.S., 1513-1546, no. 2966; Reg. Sec. Sig., XVIII, f. 4a; Sp. Misc., IV, 44. The following is a footnote on p. 119 of Northern Notes and Queries, Vol. I, no. 7, Dec. 1887:—"From this second marriage of the Superintendent's probably sprang the Erskines of Kirkbuddo in Fife, to which family belonged Alexander Erskine, General in the service of Gustavus Adolphus, and representative of Sweden in the conferences about the Treaty of Westphalia. He is said to have died s.p. in 1657 at Zamose (Burton, The Scot Abroad, Vol. ii, p. 225)". The lands of Kirkbuddo passed to John, son of the Superintendent by his second wife. R.M.S., 1546-1580, no. 1996

queen Mary, was chosen to the coveted office. The "assured lords", liberated from their captivity by Henry VIII, returned home to advance English interests and reinforce the Protestant leanings of the regent. Beaton was committed to ward, Possession of copies of the Scriptures in the vulgar tongue was sanctioned by Parliament¹. The way seemed to be clear for the triumph of Protestant views, if only the people could be persuaded to accept them; for, had Beaton judged aright, there was little prospect of serious opposition from the nobility and gentry. If his religious views might have protected the laird of Dun, his uncle was powerless for a time to safeguard his interests at court, for he was discharged of the Secretaryship before 13 March, 1542-43², and in the same month Sadler, the English King's representative in Scotland, warned the regent that Sir Thomas was a dangerous man and hoped by money and by allegations against Beaton to recover his lost office³, no strong inducement to Arran to look favourably on any of Sir Thomas's house, if Sadler spoke truth.

But the arrogance and self-seeking of the English king were the death of his scheme to marry his son Edward to Mary, queen of Scots, and thus secure the union of the two countries. The Scots, suspicious of his motives, saw no reason to forsake the French alliance, the selfishness of which they apparently failed to detect. Union with England was too likely to connote incorporation and loss of identity. Though Henry moderated his demands and a matrimonial treaty was signed in July, 1543, the prospect of substantial English gains had vanished with the liberation of Beaton and the arrival of the Francophil earl of Lennox and John Hamilton, abbot of Paisley

1. A.P.S., II, 415.

2. Letters and Papers, XVIII, pt. i, 152.

3. Ibid., 154.

and illegitimate half-brother of the vacillating regent. Beaton was to lose ere long the support of the former ally, but by September, 1543, Hamilton and the crafty cardinal had persuaded Arran to renounce his Protestantism and approve their anti-English policy. Though Arran continued to hold the office of regent, Beaton was the real governor of Scotland. The Protestant party had nothing to hope from so uncompromising a foe, and Perth and Dundee, the chief centres of religious disaffection, were visited early in 1544(N.S.) by the Cardinal and Arran as the ecclesiastical and civil heads of the realm, and once again the fires of religious persecution were lit in Scotland.

Erschine's travels and studies had left him no stranger to the doctrines which invited the hostility of David Beaton, though he proved for a time but a timorous advocate of them. Popular support of these doctrines was not lacking. In October, 1543, Marco Grimani, a papal legate to Scotland, reported that the realm was so "divided and confused, and full of heresy" that without Divine help Scotland could not be saved from the fate which had befallen England, and as reason for his foreboding he added that the Lutherans were hourly seeking "to occupy the church goods" and had already destroyed a monastery in Dundee¹. A month later, Mary of Lorraine informed the Pope that, since the death of James V, the country had been "marvellously seduced and spoiled by the Lutheran sect", so that it was "in the way of being lost altogether"².

Now the punitive expedition of Beaton and Arran embraced the neighbourhood of Arbroath, Brechin and Montrose³, and

1. Letters and Papers, XVIII, pt. ii, 168.

2. Ibid., 222.

3. L.H.T., VIII, 264.

Erskine's orthodoxy was evidently in question, for he was consigned a prisoner to Blackness Castle¹. Hitherto no explanation appears to have been given of this uncomfortable experience; but that is not surprising when it is recalled that the co-dictators were unlikely to have recourse to processes of law and consequently no carefully drawn charge would be preferred against the laird of Dun. At all events, he was not in confinement for long. It is difficult to imagine that he trimmed the sails of his opinions; perhaps Sir Thomas Erskine may have been in a position to make an effective appeal to the Cardinal for his nephew's liberation; perhaps the laird's health was such that he was released on compassionate grounds². But, unfortunately for Erskine's reputation, a letter from Cardinal Beaton³ is damning evidence against him: it is worth quoting in full:—"Rycht honorable and traist cousing, I commend me hartlie to you, nocht doutting bot my lord gouvernour hes written specialye to you at this tyme to kepe the diet with his lordship in Edinburcht, the first day of Nouember nixt to cum, quhilk I dout nocht bot ye will kepe, and I knaw perfitlie your gude will and mynd euir inclinitt to serue my lord gouvernour, and how ye ar nocht onnely determinitt to serue his lordship, at this time be your self bot als your gret wais and solistatioun maid with mony your gret freyndis to do the sammin, quhilk I assuris you sall cum baytth to your hier honour and the vele of you and your houss and freyndis, quhilk ye salbe sure I sall procure and fortyfie euir at my power, as I haue shevin in mair speciale my mynd heirintill to your cousing of Brechin, Kyrcht: Praing you effectuosly to kepe trist, and to be heir at Sanct Androwis at me this nixt Vedinsday, that we ma depairt all togydder by Thurisday nixt to cum, tovarit my

1. Diur. of Occ., 31.

2. See pp. 51, 52 on this point.

3. Sp. Misc., IV, 45.

lord gouvernour, and bring your frendis and seruandis with you accordantly, and as my lord gouvernour hais speciale confidence in you at this tyme; and be sure the plesour I can do you sal-be euir reddy at my power as knavis God quha preserue you eternall At Sanct Androwis the 25th day of October. D. Cardinall off Sanct Androwis". The letter is endorsed "To the rycht honorable and our rycht trast cousin the lard of Dvn".

This document is of the year 1544. The editor of the Miscellany of the Spalding Club assigns no year to it, but Sir William Fraser dated it [1544] in the Fifth Report of the Historical Manuscripts Commission. And Sir William Fraser was demonstrably correct in what was perhaps only surmise. The first of November, 1544, was a Saturday: in the previous year it was a Thursday. Now the entire distance from St. Andrews to Edinburgh is just over thirty miles by road, in addition to the crossing of the Firth of Forth, a sail of six miles. That journey could easily be made in two days, Thursday and Friday, the last two days of October, 1544. It is preposterous to suppose that Beaton contemplated spending a week over the business. Further, the day of writing rules out the earlier year, for in 1543 the "Thurisdæy nixt to cum" after 25 October was 1 November, and the day of departure from St. Andrews could scarcely be the day of the "diet" in Edinburgh. If the year 1543 be ruled out,

then, 1545 appears impossible too, for late in that year Erskine was associating with George Wishart, and the sentiments and assertions and promises of the letter cannot be reconciled with that association. The whole tone of the communication is one of conciliating friendliness, and it is impossible to avoid the suspicion, amounting to virtual certainty, that the future upholder of Protestantism had made his peace with Arran and Beaton and thus obtained his freedom from the restraints of Blackness. At thirty-five the laird of Dun was no reforming fire-brand.

In 1544 Wishart returned to Scotland, and began to teach

first in Montrose¹. From Montrose he proceeded to Dundee, whence he returned to Montrose, and before the end of the year he celebrated the sacrament of the Lord's Supper at Dun without reservation². So fundamental a departure from Roman Catholic practice in Erskine's household admits only of one explanation: the laird of Dun was committed to the private support at least of the reforming movement. John Erskine's vacillations command our interest, if they fail to secure our respect, and one pictures him as a man of somewhat easygoing nature, not ungenerous, readily receptive of new impressions, genuinely pious, but intellectually disposed to discipleship rather than leadership.

Erskine seems to have led a quiet life at home during the period between Wishart's return to Scotland and his martyrdom. As a father he was not neglectful of his family's interests, and in 1545 he made over his lands of Lichtonhill and Arrot to his second son Robert, by ~~that~~ time married to Catherine Graham of Morphy³. He apparently continued to be on terms of intimacy with Wishart, for, when the latter set off from Montrose on his last voluntary journey about the beginning of December, 1545, the laird of Dun showed both wisdom and friendship in urging upon him the danger of quitting a neighbourhood so hospitable and retired⁴. Only ~~eleven~~ ^{eleven} days ~~before~~ ^{after} Wishart was burned at St. Andrews, a licence⁵ was issued by Arran in that town to John Erskine⁶ to go abroad for a period of five years for "curing and mending his infirmities"⁷. The curious may wonder if the friend of Wishart found discretion the better part, but poor health is not inconsistent with the short duration of his imprisonment of two years before, and there is good warrant for believing that in 1548 Erskine was not in enjoyment of robust

1. Cald., I, 186.

2. Petrie, Century XVI, pt. 2, p. 183.

3. Sp. Misc., IV, 46.

4. Knox, I, 132: Cald., I, 191.

5. Dated 12 March, 1545-46.

6. H.M.C., Fifth Report, p. 640, no. 60.

7. Sp. Misc., IV, lxxv.



health¹. True, the licence may have been in the nature of a friendly hint and not of Erskine's seeking: anyhow it is certain that the laird, if he went abroad at all at this time, which is very doubtful, was absent at the longest for the comparatively short period of thirteen months². But Erskine's retired life at this period suggests that, even if he did not avail himself of the regent's permission, there were grounds for the concession, and it may have been concern about his health which led him to take a nineteen years' lease of the abbey lands of Scone and make provision for his wife³.

Meanwhile, the activity of Henry VIII was arousing an increasingly obstinate hostility to England. Wishart had been an associate of the Assured Lords, and Erskine can hardly have escaped hearing the available arguments in favour of Anglo-Scottish amity. But invasion and devastation were not inducements to the Scots to welcome a rapprochement with England, and if the assassination of Cardinal Beaton was no occasion of grief to the friends of Wishart, others in plenty turned the more eagerly to France, whence Arran received effective help towards the reduction of the insurgent garrison of the castle of St. Andrews.

Henry VIII died in 1547, and the protectorate of Somerset marked an intensification of English efforts to reduce Scotland to a fitting humility and dependence. In September of that year Somerset entered Scotland and inflicted upon the Scots the terrible defeat of Pinkie. The slaughter was appalling, and among the slain was the father of Andrew Melville "along with the principal gentlemen of Angus and Mearns fighting in the vanguard of the Scottish army, under their chief the Earl of Angus"⁴. It is not known if John Erskine saw his

1. See below, p. 56.

2. R.M.S., 1546-1580, no. 108.

3. H.M.C., Fifth Report, p. 640, no. 61.

4. McCrie's Melville, 2.

country's disgrace in this battle, but delicate health may have kept him at home, or he may have been one of the barons of the sheriffdoms of Forfar and Kincardine who were to accompany a special force, the function of which was the protection of Dundee from an anticipated English attack¹. At all events, when the English, late in the year, advanced on Dundee, they found the laird of Dun uncompromising in his support of the citizens, to whom he lent three small brass cannon². Innocent of fortifications³, however, the town fell an easy prey, and the success of a foreign invader was more than Erskine could stomach. If august encouragement to him to persevere were necessary, he got it in a letter which the Queen Dowager sent him in January, 1547-48⁴, commending his behaviour and promising due rewards⁵.

The success which had attended the English arms amplified English ambition and, while Scottish treason had by the surrender of Broughty Castle provided the invaders with a suitable base north of the Tay⁶, Haddington was seized by the English commander in the spring of 1548, and from it he devastated the surrounding country. Apparently Erskine was considered a man fit to organise resistance to the English in the sheriffdom of Forfar, but he evidently thought it necessary, perhaps in view of his known Protestant sympathies and the consequent suspicion in which his patriotism might be held, to obtain assurances⁷. He was provost of Montrose, and it would seem that he had an interview with Mary of Lorraine early in 1548 (N.S.) when he was authorised to act in her name⁸. In May of that year preparations were in hand for the raising of a force of cavalry

1. Reg. Privy Council, I, 80, 81.

2. Cal. State Papers, Scottish, I, 50.

3. Beaugué, 73.

4. The date, though conjectural, fits the facts, but could equally well be 1548-49.

5. Sp. Misc., IV, 48.

6. Cal. State Papers, Scottish, I, 2, 21.

7. Ibid., 87.

8. Sp. Misc., IV, 49.

and in connection therewith the earl of Crawford and the laird of Dun were written to¹, probably as the officers selected to command the local levy. At any rate, a month later, the defence of Angus was definitely entrusted to Erskine, whose force was a small one of a hundred paid soldiers, to be maintained by the town of Dundee, the ^{burghers}citizens of which were ordered to "await upon the laird of Dun, and watch and waird with him as that salbe commandit be him"². Mary of Lorraine and her advisers were no fools. The situation was desperate. They very likely considered Erskine a leader apt to secure the assistance of Dundee, since he and its inhabitants had much in common in religious matters. But it is extremely doubtful whether the town, occupied as it was by an English garrison, did much to fulfil the instructions given. And in any case the arrival in the Forth of a French force of six thousand men enabled the Scots to undertake the very urgent business of recapturing the town of Haddington, and to play his part in that work John Erskine journeyed south to the capital.

The joint force of French and Scots marched along the southern shore of the Firth of Forth as far as Musselburgh³, preceded by an advance guard of light cavalry. The Sieur d'Essé, commander of the French troops, detailed John Erskine to accompany the officer in charge of the "point"⁴, one Captain Loup⁵, a circumstance which suggests that the Forfarshire

1. L.H.T., IX, 189. Letters were sent out on 10 and 14 May, 1548, to the various parts of the country with the order that "certane horsmen weill bodyn in feir of weir" should be chosen and that they should come to Edinburgh "to ressave thair wages thair and to be chosyn as garesoun". The sherifffdoms were grouped and several lords and/or lairds got missives in connection with each group of letters. The earl of Crawford and the laird of Dun got missives when letters were sent to the sheriffs of Forfar, Kincardine and Aberdeen.

2. Keith, I, 430, 431.

3. Beaugué, 5.

4. i.e. the advance party of the advance guard.

5. Beaugué, 6.

landowner was pretty well acquainted with the terrain to the east of Edinburgh¹, though doubtless the chief argument in Erskine's favour was his knowledge of the French tongue; an indispensable asset in work which involved the constant receipt and oral translation of information. As was natural, Loup was the senior officer of the two, but evidently Erskine had a Scottish contingent under his direct command, and the joint force was held ready to support or extricate patrols who got in touch with the enemy². The advance completed, the investment of Haddington promised to be brief, but a relieving force was flung into the town about the end of July, whereupon the bulk of the Scots, who made war at their own charges, departed homeward³. Erskine however remained, and was later despatched to Roxburgh on outpost duty, where word reached him of the approach of an English force⁴. D'Essé determined to await the enemy's advance⁵, but, before contact was completely established between the main opposing bodies, a skirmish was fought between a mixed force of Scots and French and part of the English army, probably its advance guard, and Erskine, at the head of a number of impetuous Scotsmen, assisted in driving in this detached unit⁶. In the principal engagement, which took the form of a flank attack by the allies, Erskine as a commander of some prominence took his due share⁷.

In the autumn of 1548 the situation of the English garrison of Haddington was become so perilous that night sorties were attempted, and the second of such efforts by the English cavalry to inflict nocturnal loss upon the investing troops was frustrated by Lord Hume and the Laird of Dun, who were that night on duty⁸. But details of the siege are not over-

1. He had undoubtedly traversed the route on journeys to and from England.

2. Beaugué, 10.

3. Ibid., 28.

4. Ibid., 30.

5. Ibid., 31.

6. Ibid., 40.

7. Ibid., 41, 42.

8. Ibid., 50.

numerous. The fortunes of war fluctuated. Finally, when Somerset had more pressing business in hand than the bending of the Scots to his will, the garrison evacuated the town in September, 1549, defeated by the closer restraint which further French reinforcements enabled their enemies to effect. Erskine was not destined to be in at the death, though his position in the allied army had grown in importance. Indeed, whether employed in controlling a cavalry screen on the march, commanding picquets at rest, or demonstrating the value of shock tactics in battle, Erskine seems to have proved himself a soldier possessed of those virtues of prudence and dash which distinguish the leader of cavalry. But the work had been heavy, or he may have been wounded; at any rate, he was obliged by ill-health to return home in the autumn of 1548. But his reappearance in Montrose, of which he was provost, was fortunate for the townspeople, for in the defence of the ^{place} town which he was soon called upon to make, he struck a shrewd blow for Scottish liberty. The best accounts of the action by contemporaries are those of Buchanan¹ and Jean de Beaugué², while Bowick, with an accurate knowledge of the ground, tells the story with effect³. Buchanan may have had the story from Erskine himself, while Beaugué and Erskine were almost certainly known to one another. Of all Erskine's military experiences it is the best known, and a professional soldier might get every satisfaction from so neat a bit of work as the provost of Montrose carried through.

Whether suffering from wounds or from strain experienced during the summer, Erskine's clamant need was rest and sleep⁴, but he was whole-heartedly opposed to an English conquest, the consequences of which would have involved his native country

1. Hist., II, 213.

2. Beaugué, 57-63.

3. Bowick, 62, and 157, Note P.

4. Beaugué, 58.

in disgrace though it might have facilitated ecclesiastical changes of a welcome nature. The responsibility borne by him, as provost, for the safety of Montrose was increased by an English naval expedition which Lord Clinton navigated northward in co-operation with the military enterprise under the earl of Shrewsbury¹. The latter met with considerable success, but Clinton, after an unsuccessful attempt to land a force at St. Monans in Fife, betook himself by sea to Montrose, where military ineptitude might assist his designs. But Erskine had taken, and was still taking, steps to guard against surprise. He had built a fort at the mouth of the harbour, and detailed guards to occupy it². Hastily erected, it was no stronghold: it lacked water and was too small to house a respectable garrison or even to store such provisions as a normal garrison would require; and the fabric was merely dry turf, its foundation the sand³. The fort, then, was at most a defended outpost. Yet nightly that post was visited by the laird of Dun⁴, whose devotion to duty at a time of ill-health had its reward. The English fleet approached the land after dark, but their seamanship was evidently liable to fail during night operations, for every ship showed a light⁵, and Erskine had ample warning of their approach. He directed the ships in the harbour to prevent the enemies' entrance to the haven, which was practicable in all states of the tide⁶, ordered reinforcements to the fort and warned the citizens of their peril⁷.

Meantime the English were landing, and Erskine with one companion approached so near to them that he was able to gather their plans from what he overheard. His reconnaissance work under the *Sieur d'Essé* had not been in vain. Returning to the rendezvous, where about a thousand had gathered, he

1. Tytler, III, 68.

2. Beaugué, 58.

3. Ibid., 77. *Hist., II, 273*

4. Ibid., 58.

5. Ibid., and Buchanan, *Hist.*, II, 213.

6. Beaugué, 77.

7. Ibid., 59.

despatched three hundred armed men to a line of trenches¹ which had been dug long before (perhaps a relic of the year 1533)² and apparently lay between the town and the place of the English landing, fronting the enemy. The remainder, poorly equipped, were sent to occupy a slight eminence on the enemy's right flank, the left being already menaced by the garrison of the fort³. All this time the English, ignorant of the ground and unwilling to move in the dark, remained on the beach. With the approach of dawn, Erskine apparently led a body of men to a position between the shore and the trenches already mentioned, and the English, numbering about eight hundred, on the first glimmer of light advanced to the sack of the town. Erskine's main force delivered several attacks upon them till they began to rally after the initial confusion, whereupon he withdrew his men gradually back to the trench line, from which a covering fire of arrows and bullets was kept up. Arrived there, he inflicted heavy loss by the point-blank fire of three small cannon which he had mounted⁴, and counter-attacked with spirit⁵. The discharge of the ordnance was the signal to those in charge of the reserve troops, who were out of sight of the enemy behind the rising ground on their right⁶. These now appeared in military formation, cheering with intent. The trick, reminiscent of Bannockburn, succeeded. The enemy, fearing that their retreat would be cut off, and completely deceived as to the effectiveness of the latest arrivals, made for the beach in such disorder that the Scots inflicted serious losses on them, and not more than two-thirds of those who had landed regained their ships⁷. The

1. - or an earthen bank (Buchanan).

2. See p. 22.

3. Bowick, 62.

4. Beaugué, 61.

5. Ibid., 62.

6. Ibid., 60.

7. Buchanan, Hist., II, 213.

burgesses of Montrose divided among themselves the spoils of war; and that these must have been considerable is implied by the sixteenth-century estimates of the slaughter, and perhaps confirmed by the later evidence which the spade has unearthed¹.

The arrival of French troops in Angus lightened the cares of the laird of Dun, for Dundee was garrisoned by the *Sieur d'Essé*, the English were shut up in Broughty castle², and French soldiers were quartered from Aberdeen to Blackness, Montrose being one of the selected billeting stations³. But if one source of worry disappeared, another emerged. The Scots, if they valued the military resources of their allies, on social and economic grounds preferred their room to their company, and the presence of French Catholic soldiers in Montrose, Dundee and St. Andrews in the winter of 1548-49 did nothing to diminish Protestant zeal in these places, or reconcile the populace to a protracted stay on the part of their visitors.

The spring of 1549 saw the tide of military success set definitely against the English invaders, and before the year ended they were finally driven out of Scotland, and the Scots found installed in their midst another foreign power, less ostensibly hostile, but equally bent on exploiting the kingdom of Scotland. The resultant friction affected John Erskine's comfort. With an eye to the safety of his own neighbourhood, he had asked that artillery and a garrison might be allotted to Montrose and had evidently considered that any reinforcements sent would be placed under his command⁴. His military services and his local knowledge certainly justified this expectation. Judge, then, of his disgust when Captain Bochetel, presumably he who in later years corresponded with Mary of Lorraine⁵, arrived with a force of Frenchmen, expect-

1. Bowick, 157, Note P.

2. Beaugé, 75.

3. *Ibid.*, 76.

4. *Sp. Misc.*, IV, 51.

5. cf. Balcarras Papers, Advocates' Library.

ing to assume command of the fort of Montrose¹, the sight of which no doubt excited equal disgust in the mind of Bochetel. Erskine protested that this was a poor reward for his past services, and the queen-mother replied² that no intention of superseding the provost of Montrose had ever been entertained, but defended her act by pointing out that it would have been vain to expect a French garrison to serve contentedly under anyone but a French commander; at the same time assuring Erskine that his orders and advice were to be paramount. A postscript to the letter implies that Erskine had actually refused to admit Bochetel and his men to the fort, with the defence of which they had been entrusted. How far disappointed pride or dwindling hopes of reward dictated Erskine's protest we cannot tell. But the inability of the Scottish people to tolerate their Gallic allies was probably reason enough for Erskine's evident annoyance. The queen-dowager's undertaking that Erskine's services would receive due recognition and her assurance that her motive had been his relief from "cummyir and pyne" (cumber and pain) apparently won over the laird of Dun, for a month later at Edinburgh he entered into a "band" or obligation to serve Mary of Lorraine for all the days of his life in everything compatible with loyalty to the throne³. This was no unusual course at the time, and no special significance attaches to the bond, save that its completion probably followed upon an interview between the two parties to it; and one may further argue that the association between queen and subject, which had begun in 1539 or earlier, and was to continue (though its nature was to alter) to within a short time of Mary's death, may have done something to shield Erskine from the extreme dangers to which his religious views exposed him. Mary of Lorraine was no

1. Sp. Misc., IV, 51.

2. 29 August, 1549.

3. State Papers, Scottish: General Register House, Edinburgh: no. 55B. See Appendix D.

latitudinarian, but the husband of Barbara de Beirle was not likely to be regarded with marked disfavour, and the life-and-death struggle with England had, in any case, given pause both to persecuting and to proselytising fervour.

But once the issue of that struggle was certain, the church went through the form of putting its house in order. That the task was attempted without any desire to effect a compromise with heresy is evident from the proceedings of the Provincial Councils of 1549, 1551-52, and 1558-59¹. By the first the clergy were enjoined to lead more virtuous and temperate lives, and their ignorance was exposed by the recommendations adopted in the interests of learning. The councillors diagnosed with complete accuracy the causes of a heresy so prevalent that nine months after the battle of Pinkie Mary of Lorraine had been assured that the weakness of Scottish opposition to the English invaders was the result of the spread of novel opinions regarding the Scriptures, and that the defeat of 1547 was similarly explainable². But if the diagnosis was correct no serious attempt was made to apply the indicated remedy. On the contrary, recourse was had once more to persecution, and Adam Wallace was burned on the Castle Hill of Edinburgh in the summer of 1550³.

It is difficult to avoid curiosity regarding Erskine's development at this time. The martyrdom of his friend Wishart, the murder of Cardinal Beaton and the fate which overtook the garrison of the castle of St. Andrews, the misfortunes of his native land - all these may have dictated caution to one who,

1. See Statutes of the Scottish Church, 1225-1559. David Patrick, LL.D., Scot. Hist. Soc., Edinburgh, 1907.

2. MS. Correspondence of Mary of Guise, General Register House; letter from Henry, lord Methven. These letters are not numbered, but there is a MS. index to them.

3. Hay Fleming's The Reformation in Scotland, 195; Principal Lee's Lectures, I, 93.

in the words which Dr. Lee uses of Erskine's future colleague, John Winram, "might apprehend that the premature disclosure of the plans of reformation might only accelerate the ruin of its authors; and he would naturally fear that, if he and his more daring associates were involved in the same destruction, the great cause which he was eager to promote would be utterly frustrated. It is also extremely probable that he expected by delay to secure the adherence of numbers whose minds were not yet prepared for supporting so important a measure as the entire change of the mode of worship, and many articles of faith which had for several ages been deemed essential to salvation. He might even suppose that the reformation of the Church could be effected without overturning its whole establishment; and it might appear to him to be much more prudent to aim at a practicable improvement than by temerity to risk the total failure of the scheme, and thus to perpetuate the dominion of error and spiritual despotism"¹. The very fact that the council of 1549 was so quickly followed by a second may even have persuaded Erskine that the Church would herself initiate changes which would restore to her the allegiance of his countrymen and render further advocacy of doctrinal reform unnecessary or hopeless. The sixth decade of the century was sufficient to disabuse his mind of any such hope or suspicion.

Of Erskine's private affairs at this period we know little. His mother died in 1548², and it may have been this event which drew together again, temporarily at least, the children of her first two marriages. At all events, the earl of Buchan sold to his half-brother William Erskine and his wife Agnes Guthrie

1. Lee's Lectures, I, 88.

2. Sp. Misc., IV, lxxvii.

certain lands in Forfarshire¹ in May 1549, John Erskine two months earlier having purchased a neighbouring property from the earl for his own son William², whose mother presumably was Barbara de Beirle. Both transactions were effected at Dun.

But a record of 1548, though meagreness itself, is of great interest. In July of that year John Erskine the younger, with the consent of his father, made a sale of land to one Robert Mylne of Dundee and Elizabeth Oliver, his wife³. This Robert Mylne was probably the burgess and provost of Dundee who supplied a great part of the materials in connection with the building of the palace in Stirling Castle in 1537⁴. He was, it is safe to say, a man of substance, but neither he nor his wife long enjoyed possession of the purchase, for both were dead before 10 February, 1548-49⁵. The real importance of the document, however, does not lie in the nature of the transaction, but in the identity of one of the witnesses. These were four in number, Master William Erskine⁶, Richard Melville⁷, **Adam Wallace, and William Fullerton**⁸. Now Adam Wallace, the martyr, is known to have acted as **tutor** to the children of John Cockburn of Ormiston, whose wife was a daughter of Sir

1. R.M.S., 1546-1580, no. 349. The fact that the laird's brother, William, was married naturally raises the question whether he could possibly be the William Erskine, parson of Duthill, who apparently accompanied John Erskine abroad in 1542. If so, the laird of Dun was not the only member of his house who was completely separated from the Church. The identity is certainly doubtful. See below, note 6.

2. R.M.S., 1546-1580, no. 311 and Reg. Sec. Sig., XXII, f. 93a.

3. Ibid., no. 229.

4. See The King's Master Masons, by R.S. Mylne, Edinburgh, 1893.

5. Reg. Sec. Sig., XXII, f. 84a.

6. Probably the parson of Duthill, perhaps the laird's brother, possibly both; in any case, almost certainly of reforming views.

7. Eldest brother of Andrew Melville.

8. Fullerton witnessed several charters signed at Dun and seems to have been employed there: see Sp. Misc., IV, 56.

James Sandilands of Calder¹. He is described by Knox as "a sempill man, without great learnyng, but ane that was zelous in godlynes and of ane uprycht lyeff"², and it may be that he was engaged at Dun in teaching the younger children of the laird³. In any case, when Erskine's previous association with Stratoun and Wishart is recalled, and his later experiences are considered, there is nothing unreasonable in the assumption that the Adam Wallace who acted as a witness at Dun along with Richard Melville was the martyr of two years later. The name was no uncommon one at the time, but either as tutor or as guest the Dun household may readily have entertained one who, having found favour there, would be the more acceptable to the lady of Ormiston on that account. If Erskine was disposed to adopt a Fabian policy, circumstances certainly conspired to convince him of its hopelessness.

1. Knox, I, 237 and note.

2. Ibid., see note 3 on the possibility of Wallace's having had some university training. One of the two Glasgow students of the name may have been the monk of Failford who witnessed several Glencairn charters, e.g. R.M.S., 1513-1546, nos. 3206-3208, 3262.

3. He could read the Bible in three languages. Knox, I, Appendix, 547.

CHAPTER IV. 1550-1559.

In the spring of 1550 England and France agreed to a cessation of hostilities, and by the provisions of the Treaty of Boulogne the former consented to surrender all her gains in Scotland¹. News of the bargain must have been welcomed in Montrose, which, as late as February, 1549-50, had been called upon, along with Brechin, Forfar and Arbroath, to supply victuals for a Scottish host, while as one of the "pairttis langis the coist syde" the town had been summoned to despatch vessels to assist in driving off an English naval force lying "fornent Brouchtye", the lords and barons being instructed to "mak wache"².

With the advent of international tranquillity the country looked with rapidly lessening favour on the increasingly obvious attempts to make Scotland a mere appanage of France. The queen-mother in September, 1550, visited France, ostensibly to see her daughter, but the details of her plan of campaign in Scotland were then filled in, Arran was created Duke of Châtelherault, and was induced by this bribe to promise demission of the regency in favour of the scheming dowager. Mary of Lorraine took with her an imposing array of Scottish nobles, ecclesiastics and gentry, whose support of her policy was bought with French gold, and she returned by way of Ports-

1. Hume Brown, II, 35.

2. L.H.T., IX, 378.

mouth and London in October-November, 1551. The present writer has failed to find any record of John Erskine between 27 January, 1549-50¹, and 23 April, 1552², and this interval of twenty-seven months of which nothing appears to be known suggests that he must have led a life of complete retirement and inactivity at home, or else that, hot from armed opposition to England, he was one of the numerous train which accompanied Mary of Lorraine to France. Neither possibility is unreasonable. The death of Adam Wallace in 1550 afforded ample reason to an espouser of reforming doctrine to make few appearances in the public eye, while his previous expeditions to France rendered him a very suitable member of Mary's suite. If he journeyed to France at this time, he was afforded an opportunity of coming in contact with the Protestant court of Edward VI, for Mary and her retinue were lavishly entertained by the English king for a fortnight in the autumn of 1551.

But whether or not Erskine was absent from home from September, 1550, to November, 1551, there can be little doubt that in the years which followed the proclamation of peace with England his principal activities were directed to the repair of his own fortunes and those of the town of Montrose; indeed, the whole country found the duty of reconstruction a pressing one after the cruel experiences it had undergone. In 1552 William Rhind, parson of Arbuthnot, resigned his living to Erskine's uncle, the dean of Aberdeen, and the two clerics sold to the laird of Dun the fruits of the parish for a period of three years, the laird paying the rent for the whole term in advance³. In the same year he sold part of his lands in the parish of Logymontrose to William Fullerton⁴, and his heir, with paternal consent, leased to a ^{buyer} citizen of Dundee in life-rent the "shadow half" of the lands of Balwyllo⁵. The William

1. Pitcairn's Criminal Trials, I, *347.

2. Sp. Misc., IV, 52.

3. Ibid..

4. R.M.S., 1546-1580, / no. 737.

5. Reg. Sec. Sig., XXV, f. 17b.

Fullerton of the former transaction was frequently associated with Erskine as a witness to charters, and both were granted permission to remain at home in October, 1552¹, when the lieges were summoned to convene in arms at Jedburgh. Fullerton is designated in the licence the laird's "servand", though he himself was the laird of Ardoch in Forfarshire², but the reasons for the grant are not given³.

In 1553 John Erskine was provost of Montrose, an office which he had probably retained without interruption since 1548. In that capacity he leased to each of two fellow-burgesses one-tenth of the burgh salmon-fishing in the South Esk, obtaining an increased rental for the same⁴, and the lessees evidently paying down a sum of money in addition, which helped the authorities in their work of making good the damage which the burgh had sustained in the recent wars. Montrose in those days was one of Scotland's leading seaports, and the expansion of the country's trade was a matter of importance to the traders of the town, but in Montrose and elsewhere the passion for religious reform was sufficiently strong to distract the attention of men from gain, and the burgess class in Scotland did not emerge in the sixteenth century as a political factor in the manner in which it came to the front south of the Tweed. But we have a hint in the Records of the Convention of the Royal Burghs of Scotland of the position which Erskine might have attained as a leader of the middle classes, had Scotland not been forced into ecclesiastical and doctrinal struggles. In May, 1555, he attended a meeting of the Convention in Edinburgh

1. Sp. Misc., IV, 55.

2. Probably the Ardoch near Montrose.

3. The scholar, Henry Scrymgeour, "homme -----de grant savoir tant en lettres grecques que latines" visited Scotland, probably in 1552. It is interesting to think that he may have met Erskine, particularly as he brought a letter from Bochetel to Mary of Lorraine recommending the laird to the queen-regent. (Balcarras Papers - Advocates' Library - III, no. 66).

4. R.M.S., 1546-1580, nos. 773 and 918.

as one of the two representatives of Montrose¹. The business was to consider what steps should be taken to relieve burghs which had suffered from "weir, pest, and vtheris cummeris qu-hilkis hes occurrit laitlie in borrowis sen oure Sourane Lordis deceis", which burghs were thereby "depauperit and purit and dekeyit". It was decided that the impoverished burghs should be relieved of some part of their fiscal burden at the expense of the "vtheris that ar richit", the arrangement to continue for three years. A committee of twelve was selected to arrange the details, the burghs south of the Forth being equally represented with those to the north. John Erskine was one of the twelve. Of the forty-two burgh representatives present he was the only one with a territorial designation, and of the thirty-nine who signed the proceedings four did so with "hand on the pen led be the Notar". On the grounds of social standing, education and experience of affairs he was probably well-fitted to take his share in the work in hand. The findings of the committee were to be observed by "the haill borrowis" and were to be binding for three years "gif na alteratioun be maid in the meyntyme". The committee met, but adjourned to Perth, where it re-assembled on 5 August, 1555². The Edinburgh representatives withdrew from the business, but the remaining members "reformit and alterit the-----auld taxt roll, addit the reche burrowis, and diminissit the depauperat of thair exorbitant taxatioun", and their decisions were upheld at a meeting of the Convention at Dundee in the following month³.

The close official connection which Erskine had with Montrose, and the confidence shown in him by his fellow representatives at the Convention in 1555, indicate that the provost of Montrose might have made his name as well-known in the Scottish

1. Records of the Convention, I, 6.

2. Ibid., 12.

3. Ibid., 10. Evidently in his travels even the laird of Dunran ran short of ready cash, for previous to 14 June, 1555, he borrowed two hundred pounds from Andrew, son and heir of Robert Arbuthnot of that ilk. (Reg. Deeds, I, ff. 148a, 148b).

parliament and in the Convention of Royal Burghs as it became in the General Assembly of the Church, if the circumstances of the time had permitted his country to concentrate on economic and political development rather than on religious reform.

Erskine's political activities in this period were neither numerous nor remarkable. It had been represented to Arran that resignation of the regency would render him immune from question regarding the dilapidation of the royal revenue, and when the far-seeing queen-dowager had so far succeeded in hoodwinking the Scots as to secure a large measure of personal popularity for herself, the duke of Châtelherault took care that the promised immunity should be assured, and a number of the lords spiritual and temporal and of the gentlemen of Scotland, of whom Erskine was one, entered into an obligation in February, 1553-54, that the queen-dowager should execute and obtain for him discharges of his intromissions with the crown property and of his acts as governor¹, and on the same day² Mary of Lorraine and D'Oysel, lieutenant-general for the king of France within Scotland, promised to the Three Estates of the realm, John Erskine again being one of those mentioned, to effect those discharges on Châtelherault's behalf³.

But, although his secular activities were far from being over, other interests now demanded the attention of the laird of Dun than the material prosperity of his native district or the political intrigues of the court. The accession of Mary Tudor to the throne of England in 1553 had compelled many Protestant preachers to take refuge in Scotland. To their admonitions was added the eloquence of John Knox, who landed in Scotland in the autumn of 1555⁴ and began to preach the reformed faith in the house of his host, James Syme, in Edinburgh.

1. Acts and Decrees, X, f. 107a to f. 109b. John Erskine's name appears on f. 107b.

2. 20 February.

3. Acts and Decrees, X, ff. 110a to 112b, Erskine's name being on f. 110b.

4. Knox, I, 245-246.

Among those who resorted to him was Erskine of Dun¹, who had just completed his labours as a member of the Convention of Royal Burghs. The reformer observed that many who were well-disposed toward Protestant teaching still attended Mass, and the enormity of this course was one of the subjects of his private discourse². If Erskine's character has been correctly assessed in the preceding pages, we may assume that he was one of those who found it difficult to run counter to popular practice. In any case, Knox was invited by the laird of Dun to put his views before the guests at a supper-party to which were invited, among others, the younger Maitland of Lethington and John Willock, one of the most energetic of the refugees from the Marian persecutions³. Evidently Erskine was won over to the reformer's views, or at least deeply impressed by them, for he invited Knox to Dun, where he remained a month, daily expounding his doctrines to the household and to the principal gentlemen of the neighbourhood⁴. To Dun John Knox returned late in April, or early in May, 1556, and resumed his teaching. On this occasion he evidently felt that he could go farther than he had done on his first visit and so expounded his tenets more freely, with the result that his hearers, embracing most of the gentlemen of the district, requested him to minister to them the communion according to Protestant observance, and, renouncing Roman Catholic creed and practice, they entered into a bond to promote to the uttermost of their power the "trew preaching of the Evangell of Jesus Christ"⁵. In the opinion of McCrie this was "the first of those religious Bonds or Covenants, by which the confederation of the Protestants in Scotland was so frequently ratified". David Laing, the learned editor of Knox's works, points out⁶ that this bond, of which, if it was reduced

1. Knox, I, 246.

2. Ibid., 247.

3. Ibid..

4. Ibid., 249.

5. Ibid., 250-251.

6. Ibid., 251, note I.

to writing, no copy exists, may have differed very materially in character from the later covenants, while a ~~later~~^{more recent} writer unhesitatingly accepts McCrie's finding, and, referring to the agreement as an "instrument", gives it pride of place among covenanting contracts¹. To term the agreement an instrument is to assume what cannot be proved, but there can be no doubt that an agreement was entered into on this occasion, and whether or not its terms were committed to paper seems a matter of little importance. The gentlemen of the Mearns jointly and solemnly agreed to a policy which speedily became known², and their failure to engross the terms could avail them little if action were taken against them, while the implication is clear that they contemplated mutual assistance if their activities were questioned: further, when Knox was summoned to answer for his opinions at Edinburgh on 15 May, 1556, Erskine of Dun and others accompanied him³, an evident result of the band of a week or two previous. Erskine thus definitely came into the open as a confessed reformer. Whatever hesitation had marked his religious development up to that time was now discarded in favour of active opposition to the church of his fathers.

But Mary of Lorraine was not in a position to ~~ignore~~^{ignore} entirely any possible ally. Her treatment of Châtelherault had alienated his relative, the archbishop of St. Andrews, and the hostility of the latter meant at best the partial support of the church which it was her ambition to establish yet more firmly. She dared not offend too flagrantly either nobles or merchants, of both of which strongly Protestant classes Erskine was representative; yet her appointment of Frenchmen to several great offices of state aroused suspicion among the nobles, and all classes were beginning to identify French influence with anti-Protestant policy. In any case, the Church could be won back to the support of the crown, but the animosity of the

1. Hewison's Covenanters, I, 10.

2. Knox, I, 251.

3. Ibid..

nobles, once excited, might permanently weaken the throne. For these reasons, and perhaps for others of a more personal nature, the regent seems to have ^{taken} no steps to mark her displeasure of Erskine's open disapproval of the existing religious system. On the contrary, he was employed as a Justice Depute at Elgin in the late summer of 1556, and duly received payment of three pounds per day for himself and his servants for the nineteen days of the continuance of the Justice Aire¹. According to Pitcairn², the aire began on Monday, 17 August, and terminated on 17 October, the twenty-first day of the sittings, in which case the laird of Dun would appear to have been underpaid, but of more interest is Pitcairn's assurance that the cases which came up for decision were of a trivial nature. In November of the same year Erskine was commissioned to recover two alleged robbers and bring them to justice³; a task of no great dignity, but proof that the laird was still considered fit to assist the government of the realm.

John Knox returned to his congregation at Geneva in July, 1556⁴, but eight months later he was besought to revisit Scotland. Public opinion had been alarmed by the regent's request that she might be permitted to maintain a standing army⁵. The influence of France was too much in evidence in this suggestion and it elicited an emphatic protest. But bound up with political suspicion was religious trepidation, and the letter which was written to Knox from Stirling on 10 March, 1556-57, was an appeal to him to return home and reinforce the influence of his faithful adherents, to the end that the decline of clerical authority might be hastened⁶. The appeal was signed by the earl of Glencairn, lord Lorne, lord James Stewart, afterwards earl of Moray, and either John, lord Erskine, later earl of Mar, or John Erskine of Dun. In view of the signatures to

1. L.H.T., X, 313.

2. Criminal Trials, I, *389.

3. Excheq. Rolls, XVIII, 610.

4. Knox, I, 254.

5. Buchanan, Hist., II, 223-224.

6. Knox, I, 267-268.

the band of 3 December, 1557, it is by no means impossible that it was Erskine of Dun's signature that was attached to the document. Certainty on the point is unattainable, but the fact that the laird was in Stirling on 19 March, 1556-57¹, lends some colour to the assumption that he did in fact sign the letter².

Meantime the laird of Dun had private affairs of his own to attend to. In whatever year Pierre de Marsilier began to teach in Montrose, we know that Andrew Melville was one of his pupils between 1557 and 1559³, and it is certain that de Marsilier's tutorial work - for there is no hint that he was connected in any way with an established school - was the subject of constant interest on the part of his patron or employer. In September, 1557, he made the final arrangements regarding the marriage of his daughter Elizabeth, probably issue of his second marriage, to John, son and apparent heir of Robert Collace of Balnamone. The date of the agreement is 19 September, a Sunday, and on the following Wednesday John Collace undertook to marry Elizabeth Erskine, her father agreeing to pay to the young couple a "tocher" of two thousand marks, eleven hundred at the solemnising of the marriage, and the balance in three equal instalments by Whitsunday, 1559. Erskine also bound himself to provide the pair with a hundred pounds "to help to pleneis stedingis". If it were found at the time of the marriage that a bar of consanguinity rendered its celebration unlawful without dispensation, then Robert and John Collace were to pay to Elizabeth Erskine two thousand pounds as

1. R.M.S., 1546-1580, no. 1162.

2. It seems to be pretty generally assumed that John Erskine of Dun was the "Erskyn" who signed, and Keith (Hist., I, 153) believed it on the ground that the other John Erskine had not then identified himself with the reforming party. But (Knox, I, 249) "the lord Erskin that now is" was a frequenter of Knox's company at Calder, along with lord Lorne and lord James Stewart, both of whom signed the letter. And Calderwood (Hist., I, 319) credits lord Erskine with the signature.

3. Melville's Diary, 31.

4. Knox, I, 278. The letter to Erskine has not been preserved.

compensation for expenses incurred by her"gif the said Jhone Collace will nocht renew the mariage with the said Elizabeth, he beand requirit tharto be the said Jhone Erskyne"¹. The terms of the contract betray paternal anxiety for a daughter's welfare and show that the laird of Dun was a generous, if cautious, guardian of his children; and they remind us of the numerous papal extensions of the prohibited degrees whereby dispensations became a source of increased income to the Church.

The letter of 10 March had succeeded in persuading John Knox to quit Geneva in September, 1557, but on reaching Dieppe on 24 October he found letters from Scotland advising him against the journey, and three days after his arrival in the French seaport he despatched a reply, protesting against the advice and denouncing the timidity of those who gave it², for there were in Scotland some who "accounted themselves well satisfied, if they could worship God peacably in their own tongue, in private assemblies, and dispute soberly concerning matters of divinity"³. At the same time, Knox sent off other letters, including one to Erskine,⁴ and the recipients and their friends were heartened - or shamed - into deciding to resume active agitation in favour of "the trew preaching of Christes Evangell", and, that mutual confidence might be established, a band, the first undoubted written record of militant Protestantism in Scotland, was entered into at Edinburgh on 3 December, 1557. This famous band, signed by Erskine of Dun and many others, records the promise of the subscribers⁵ continually to apply their whole power, substance, and their very lives, to maintain, set forward and establish the most blessed Word of God, and His congregation, and declares their renunciation of "the congregatioun of Satan, with all the superstitious abominatioun and idolatrie therof"⁵. This protest

1. Reg. Deeds, II, f. 275.

2. Knox, I, 269.

3. Buchanan, Hist., II, 230.

5. Knox, I, 273-274.

4. Knox, I, 273. The letter to Erskine has not been preserved.

was followed up by an active Protestant propaganda, for "some eminent persons, especially of Fife and Angus, and some chief burghers of several towns, travelled over all the shires of Scotland, exhorting all the people to love the sincere preaching of the word, and not to suffer themselves, and their friends of the same opinion in religion with themselves, to be oppressed and destroyed by a small and weak faction; alleging, if their enemies would transact the matter by law, they should easily cast them; but if they chose force rather, they were not inferior to them. And they had schedules or written tables, ready for those who were pleased therewith, to subscribe their names. These first assumed the name of Congregation, which was made more famous afterwards by those who joined themselves thereto"¹.

But little time was allowed to Erskine to undertake missionary journeys. The leaders of the reforming party² drew up a statement of the religious changes which they esteemed necessary, namely the reading of the English Book of Common Prayer on Sundays and other "festuall days" - Knox had not yet arrived to introduce the Genevan use - together with the appropriate lessons from the Old and New Testaments, either by the curate of the parish, or by some other fit person; and, pending royal approval of public preaching, the exposition in private houses of the Scriptures and of Protestant doctrine³. So revolutionary a proposal was a direct affront to Mary of Lorraine and her French advisers, and the scheme to knit Scotland more closely to France by means of a royal international marriage, arranged in the treaty of Haddington, can have seemed no less attractive by reason of these moves. Parliament had been summoned to meet in Edinburgh in December, 1557, and the ~~same~~

1. Buchanan, Hist., II, 232.

2. Given by Spottiswoode, History of the Church of Scotland, I, 263, as the earls of Argyll, Glencairn and Morton, the lord Lorne, Sandilands of Calder, Erskine of Dun, and the younger Maitland of Lethington.

3. Knox, I, 275-276.

activities just recorded no doubt convinced the regent that it was more than time to have her own authority confirmed by the dynastic union of her native, and of her adopted, country.

The ~~commission~~ commissioners chosen to represent Scotland at the celebration of the marriage of Mary, Queen of Scots, to Francis, the Dauphin of France, were the archbishop of Glasgow, the bishop of Orkney, the earls of Rothes and Cassilis, lord James Stewart, the lords Fleming and Seton, and John Erskine of Dun¹, and they were apparently selected by Parliament², which undertook to pay the ransom of any of them who might require that kindness, declared that, in the event of their death, their heirs were to be privileged, and suspended all actions against them³. It is noteworthy that the commissioners included lord James, the future regent Moray, and Erskine of Dun, both already ardent reformers and men who had proved themselves good soldiers in the field, and it is interesting to find associated with the second of these George, fourth lord Seton, whose second wife, like Barbara de Beirle, had been one of Mary of Lorraine's attendant ladies when she first arrived in Scotland⁴. The Scots commissioners sailed from Leith in February, 1557-58⁵, and John Spottiswoode, later the superintendent of Lothian, accompanied the lord James, in whose household he had been a frequent guest⁶, and the two future dignitaries of the reformed church, Erskine and Spottiswoode, had thus every opportunity of debating the ecclesiastical difficulties which confronted their country.

The embassy experienced tempestuous weather, and the seven ships which set out⁷ were reduced by a wreck off St. Abbs Head,

1. Diur. of Occ., 52.

2. Cald., I, 330.

3. A.P.S., II, 501, 502.

4. Scots Peerage, VIII, 584.

5. Lesley, Hist., 262.

6. Spottiswoode, Hist., II, 336.

7. Anderson's MS. Hist., Adv. Lib., II, f. 190a. According to this account, two ships went down off St. Abbs, while Buchanan (Hist., II, 228) says two were sunk near Boulogne.

in which the ambassadors lost both their horses and their funds, while another vessel went down in the road of Boulogne, after the bishop of Orkney, the earl of Rothes and some others had been disembarked¹ in a fishing boat². Such was the violence of the weather that the remaining ships were scattered and set the other ambassadors on shore at various ports³, but the party evidently met at Boulogne, whence its members proceeded to Paris, which was reached in March⁴.

The marriage of Francis and Mary was celebrated in the Cathedral of Notre Dame on 24 April, 1558⁵, the marriage treaty having been signed five days earlier⁶. The chancellor of France, not content with the secret compact whereby Mary had given over her country to France if she die without heirs⁷, then required the Scots commissioners to produce the insignia of royalty, to which, he argued, Francis was entitled. But the Scots pleaded that they had no instructions touching this suggestion, whereupon it was replied that their promise to support the proposal was all that was sought of them. Their refusal to be so bound was categorical⁸, and one may well wonder if it was not this very independence and patriotism which brought some of the commissioners to their death.

The ambassadors remained with the French court till August, 1558⁹, and even there Erskine may have had his Protestant convictions strengthened and deepened, for the reformed church of Paris had been founded three years before, and there were, it has been reckoned, 300,000 to 400,000 Protestants in France in the year of Mary's marriage¹⁰. But the pre-nuptial negoti-

1. Lesley, Hist., 262.

2. Buchanan, Hist., II, 228.

3. Ibid.. The author of the Diurnal of Occurrents, for example, states that the members of the embassy landed at Calais (op.cit. 268).

4. Lesley, Hist., 263.

5. Dunbar's Scottish Kings, 251.

6. A.P.S., II, 511.

7. Labanoff, I, 50.

8. Buchanan, Hist., II, 229.

9. Lesley, Hist., 266.

10. Stoddart's Girlhood of Mary Queen of Scots, 175.

ations, the wedding festivities, and the intrigues and distractions which followed, may have left the reformer with little time for the assimilation of French Protestant views. On the departure of the Scots "richelieu rewarded and propyned with copburdis of silver pairtlie gilt, of sindre sortes, to everie ane of thame"¹, their spirits were doubtless the higher for the difficulty of the task which they had carried through. But disaster was to befall them, for on their arrival in Dieppe about the end of the month all the leading members of the embassy were taken ill². Political assassinations were not unknown, and the Guises were quite fit to compass the death of all the ambassadors and then pretend that an undertaking, prejudicial to the liberties of Scotland, had been arranged by those who had died. Of the party, four never saw their native land again, but the archbishop of Glasgow, Seton, Erskine and lord James Stewart survived their illness, though the last-named was troubled from that time forward with a weakness that was set down to the poison of which he was supposed to have partaken in France³. That the illness was the result of criminal design may, however, be doubted, from the fact that three of the deaths took place after the other Scottish commissioners had got safely home: and further, Queen Mary, writing on 16 September 1558, to her mother, stated that the Scottish ambassadors, having been driven back to Dieppe, were all ill⁴. If they had actually quitted France, as this implies, they had passed scatheless through the period on which the Guises could have counted for the achievement of any malign purpose. One thing is pretty certain, that the subject of this book was not very seriously ill, for he was sent back from Dieppe with a message from the bishop

1. Lesley, Hist., 266.

2. Ibid..

3. Buchanan, Hist., II, 230.

4. Scottish State Papers (General Register House, Edinburgh), no. 68. This letter is printed in the Miscellany of the Maitland Club, I, pt. 2, 243, 244. In the Miscellany reposes is printed reponses.

of Orkney to Mary¹, and carried back to Scotland with him the letter under discussion, in which he is recommended to the favourable consideration of the regent².

The surviving ambassadors reached Scotland late in September³ or early in October, 1558, landing at Montrose⁴, and on 29 November they were accorded the "approbation exoneration and discharge" of the Scots parliament in respect of their completed errand⁵, and the same parliament agreed to the course which the commissioners had repudiated so hotly, consenting that the Dauphin should receive the crown matrimonial of Scotland for the duration of his marriage to Mary⁶. The choice of the ambassadors to bear this gift was left to the regent, who, perhaps to commit them if possible to a course in conflict with their religious views, selected the lord James Stewart and the earl of Argyll⁷. The regent's double-dealing at this time is recorded by Knox⁸, but it served her very little, for the year 1558 marked the zenith of her Francophil scheming. Indeed, quite apart from the deepening conviction that Scotland could derive no political benefit from her association with France, there was a growing concern lest the regent's policy was deliberately to reinforce the Roman Catholic Church with French help, and the burning of Walter Mill in the month of the queen's marriage⁹ was a sign to the Scottish people that religious persecution was not dead. Mill had been priest of Lunan in Forfarshire in the time of Cardinal Beaton¹⁰, and was therefore probably known to Erskine. If so, a letter of which Petrie found a copy at Dun has the more interest for us. It was drawn

1. Scottish State Papers, no. 68.

2. "~~ie~~ vous ecrivez aussi pour Asquin". The reader may make out a particularisation of this from the words which immediately follow: "~~ie~~ serois bien ayse quil iouent moien".

3. Diur. of Occ., 268.

4. Lesley, Hist., 267.

5. A.P.S., II, 504.

6. Ibid., 506.

7. Knox, I, 294.

8. Ibid..

9. Knox, I, 308.

10. Knox, I, (Appendix), 550.

up immediately after Mill's death by certain nobles and barons - their names are not known - and sent to the regent; and the fact that a copy was long preserved at Dun indicates perhaps a special interest on Erskine's part in the death of the aged martyr. Its terms are as follows:- "The subjects of this realm of Scotland wish unto the most Excellent Princess Mary Queen dowrier and Regent, all felicity, Most Noble Princess, It is not unknown, unto your Maiesty, our ardent desire, to see the name of God glorified in this our native Countrie, and wee have often made humble suit unto your Grace, to have your good will and protection, to live quietly in free conscience without oppression of tyranny, according to the will of our God made manifest to us in his holy Scriptures: And because some men which most iniustly [iniustly] have entred themselves by title and name, as Ministers of Gods Kirk, are conspired together against the Lord and his anointed, to put down his name and honour, and to maintain most odious abominations, wee have forsaken them and their detestable ministry, knowing them to be accursed of God; And according to the Scripture wee have received such Ministers as with humble mindes submit themselves, their doctrine and ministry unto the word of God and triall thereof, of whom wee have experience, that they do minister truly according to the institution of our Saviour; And now, Madam, the bishop of Santandrows by the corrupt Counsell of most wicked and ungodly persons, hath given forth his letters of summons against our Ministers to compear in Santandrows or otherwise such day as he hath appointed in his letters (the copy whereof being required, was refused) to underly the most corrupt judgement of them, whose Counsell in this cause he doth most follow, And knowing how dangerous a thing it is, to enter under the judgement of enemies, wee can not suffer them to enter under their hands, nor to compear before them, unless they be accompanied with such as may be able to defend them from the violence and tyranny, whereof wee have now experience: But to stop all tumults and other inconvenients,

that may thereby occurre, wee most humbly offer ourselves and Ministers to come before your Grace and Counsell, to abide tryall in all things, that they have to lay unto the charge of us and our ministers, according to the word of God; Beseeching your Grace as you ought of duty, and as you are placed of God above his people, take our cause, or rather the cause of God, to be tryed most justly according to the holy Scriptures, before yourself; and put inhibition to the said Bishop to proceed further untill tryall be taken, as said is: Unto the which, your Gr. shall find us at all times ready, as shall please you to command: and your Gr. good answer wee most humbly beseech"¹.

To this letter, as the writers expected, no answer was returned, but it had the merit of registering an explicit protest, and the failure of the royal recipient to concede its request did service in making plain her support of the Church whose renewed activity menaced Protestant sympathisers: but it added nothing to the petition, presented earlier in the year by Sir James Sandilands, of Calder, demanding the right to worship God after the Protestant fashion both in public and in private, craving the administration in the vulgar tongue of the sacraments of Baptism and the Lord's Supper in both kinds, and denouncing the dissolute lives of the clergy².

That Erskine of a certainty was in sympathy with both petitions, though he can have signed neither, is attested by the fact that before the date of Sandilands' protest the more earnest members of the Congregation had appointed certain of their number to be elders, and the more zealous, of whom the laird of Dun was one, exhorted their brethren, the simple organisation thus started being known as the Privy Kirk³. Erskine was soon withdrawn from this exegetical and hortatory activity by

1. Petrie, century XVI, pt. 2, pp. 191-192. Punctuation and spelling are Petrie's.

2. Knox, I, 302-306: Cald., I, 333-337.

3. Knox, I, 300.

his appointment as a commissioner for Mary's marriage, but his absence in France did not quench his ardour. Previous to the parliamentary decision to confer the crown matrimonial on the Dauphin, Mary of Lorraine found it expedient to court public favour by permitting the Protestants to worship as they wished, so long as they held no public assemblies in Edinburgh or Leith, but she was secretly encouraging the clergy to gather proofs of heretical activity against the day of reckoning. To diminish clerical hostility towards the Protestants, Erskine of Dun, apparently in the interval between his landing at Montrose and the assembling of Parliament, was deputed to interview the Church leaders. "Learned, pious and affable", he besought them by the piety which all men owed to God and in the name of charity to tolerate prayer in the vulgar tongue by those who gathered together to worship the Almighty as the Scriptures commanded, but they retorted with "cruel threatenings and reproaches"¹. The Church was admittedly concerned at this time to get rid of the more evident blemishes on its reputation, but any disposition to conciliate even a learned, pious and affable heretic was foreign to the ecclesiastical temper, grown haughty at the prospect of securing with foreign aid the downfall and destruction of its enemies. And the regent soon afterwards took a step which dispelled from most Protestant minds any doubt as to her real intention.

In February, 1558-59, proclamation was ordered to be made at Montrose, Dundee, and other centres of reforming opinion, "chargeing all and sindrie our Soverane Ladeis liegis that nane of thame tak upoun hand to commit, attempt, or do ony injure or violence, disturbe the service usit in the Kirkis, strike manneis or bost² preistis, or to eit flesche in Lenterone, under the pane of deid"³, and this was followed up in the **next**

1. Buchanan, Hist., II, 233-234.

2. i.e. threaten.

3. L.H.T., X, 416.

month by the despatch of preachers with persuasive powers to urge attendance at Mass upon the people of Montrose, Dundee, Perth and other places where the Reformation had prospered¹. But these efforts met with no success, and the regent then embarked on a policy which was to lead to open war.

The official attitude of the church at this time has been fully and frequently stated, but the counsel given in January, 1558-59, to their bishop by the dean and chapter of Aberdeen is of interest by reason of the fact that the first signature is that of John Erskine's uncle, Robert. The paper is preserved at Dun, but the laird's uncle was evidently no more alive to the need for revising the creed of the Church than were his fellow-churchmen elsewhere in Scotland². It is probable that Robert Erskine was then advanced in years and therefore prone to resent change, but, in any case, whatever influence he may have exerted upon his nephew in previous years had entirely ceased to operate by 1558.

The period of Erskine's life which has been under survey was by far the most decisive of his career. His doubts were resolved, his faith was confirmed. The somewhat perplexing hesitation which was an earlier characteristic was replaced by a settled determination to expedite the triumph of the doctrines which he now professed openly. It is probable that Erskine, "a man most gentill of nature"³, affable and learned, had not yet surrendered all hope that negotiation would procure the end on which his heart was set, and it is certain that his loyalty to the house of Stewart stood second only to that other allegiance which had inspired Stratoun, Wishart, Wallace and Mill. But even opposition to the throne was preferable to surrender of principle. It is noteworthy that the most prominent agents of the Reformation in Scotland were, in the main,

1. Knox, I, 317.

2. Sp. Misc., IV, 57: Keith's Affairs of Church and State in Scotland, I, cxx.

3. Knox, I, 318.

either those whose political interest led them to harass the crown or those whose early training had been professionally ecclesiastical. Erskine belonged to neither class; his services to the royal house were amply sufficient to procure for him royal favour; he cannot then have contemplated the attainment of honour and dignity in a reformed church. If he was tardy in appearing as an avowed and active champion of the reformed faith, his sincerity when he did so is beyond all question.

CHAPTER V. 1559-1560

After the religious conference having proved vain, she summoned their preachers to appear before her on 10 May, 1559, at Stirling¹. But the ministers were to have a welcome accession to their numbers, for John Knox landed at Leith on 8 May, whence ten days later he made for Dundee². The burgesses of that town, with the gentlemen of Angus and the Marquis, were on the point of departure for Stirling, where they proposed to attend their preachers when the latter faced the queen-dowager³, and Knox at once attached himself to them⁴. That no appearance of rebellion might prejudice the regent against the Protestants, Erskine was sent forward to Stirling from Perth, where they halted, to testify that their purpose was peaceful⁵, and in all likelihood he was the bearer of a lengthy statement drawn up on 8 May by the "Professours of Christian Religion". After announcing the appointment of the writers that Mary had not proved the defence of the Congregation which its members had hoped she would be, the letter proceeded to distinguish between spiritual and temporal authority, advising the regent

1. Knox, I, 317.

2. Knox, I, 318; Cald., I, 440.

3. Knox, I, 317.

4. Knox, I, 318.

5. Knox, I, 317.

6. Knox, I, 318-319. The document was transmitted and returned the 10th May, but it is not clear whether it was received by the regent.

CHAPTER V. 1559-1560

The events of 1559 and 1560 are common knowledge, but Erskine's intimate connection with many of them demands the re-telling of the story. Mary of Lorraine's efforts to win back the Protestants to religious conformity having proved vain, she summoned their preachers to appear before her on 10 May, 1559, at Stirling¹. But the ministers were to have a welcome accession to their numbers, for John Knox landed at Leith on 2 May, whence two days later he made for Dundee². The burgesses of that town, with the gentlemen of Angus and the Mearns, were on the point of departure for Stirling, where they proposed to attend their preachers when the latter faced the queen-dowager³, and Knox at once attached himself to them⁴. That no appearance of rebellion might prejudice the regent against the Protestants, Erskine was sent forward to Stirling from Perth, where they halted, to testify that their purpose was peaceful⁵, and in all likelihood he was the bearer of a lengthy statement drawn up on 6 May by the "Professouris of Christis Ewangell"⁶. After announcing the disappointment of the writers that Mary had not proved the defence of the Congregation which its members had hoped she would be, the letter proceeds to distinguish between spiritual and temporal authority, adjuring the regent

1. Knox, I, 317.

2. Ibid., 318: Cald., I, 440.

3. Ibid., 317.

4. Ibid., 318.

5. Ibid., 317.

6. Sp. Misc., IV, 88-92. The document has Erskine's name appended, but it is a later addition and not in his hand.

to keep within the bounds of her vocation and cease from interference with the Protestant ministry, for obedience to God is a higher duty than compliance with the will of princes:¹ the desire of the reformers to serve the crown in peace, in war, in bodies, goods and lands is insisted upon, but never again will the writers join themselves to the "abominationis" which they have left "thocht all the poweris of the erthe will command the contrair". The letter is firm without being vituperative, and betrays the hand of Erskine rather than the hand of Knox, for the laird was "addict to please" the regent "in all thingis not repugnant to God"². He evidently succeeded in convincing Mary that the Congregation, though unarmed³, was in deadly earnest, for she persuaded him, by promises of more considerate treatment, to write to the body at Perth requesting them to advance no farther. His request had a mixed reception, but apparently the laird's reputation, as much as anything, secured acquiescence⁴.

But, if she temporised with the multitude, Mary had expected that the preachers would appear before her and was enraged by their failure to do so. Paul Methven, whose later history somewhat dimmed his early reputation, was denounced rebel for offences which included the usurpation of the authority of the Church by the celebration of the Communion in Dundee, Montrose and elsewhere in a manner objectionable to the faithful⁵, and a like treatment was meted out to John Christison and William Harlaw for similar conduct in Perth and its neighbourhood, their sureties, John Erskine of Dun and Patrick Murray of Tibbermuir, being fined for their non-appearance⁶. These **hornings** were decreed on 10 May, and Mary, now

1. Mary might have retorted that obedience to God was a higher duty than compliance with the will of a minority of her subjects.

2. Knox, I, 318.

3. They wore no armour, but it is not implied that they lacked weapons.

4. Knox, I, 317, 318.

5. Pitcairn's Crim. Trials, I, *406-7.

6. Ibid., *407.

thoroughly exasperated, ordered Erskine from her sight "whereupon he gat him to horse and departed with speed; which if he had not done she intended to have stayed him; but missing the apprehending of him, she caused him to be put to the horn"¹.

On regaining Perth, the outlawed Erskine fully exposed the queen-mother's craft, which so incensed the multitude that it took little to arouse in them an iconoclastic fury², and the leaders prepared to resort to force to defend themselves³.

The news of the anti-clerical disturbances in Perth moved the regent to despatch against the town the Sieur d'Oysel with his French soldiery and the men-at-arms of those nobles who still supported the crown, and on a "platt of ground" over a mile distant⁴ the gentlemen of Fife, Angus and the Mearns, with the townspeople of Dundee, took up a strategical position⁵, having put the town in a state of defence⁶, and sent a written warning to the regent that official persecution would mean armed resistance by themselves and an appeal from her to their queen and the princes of Europe⁷. They further notified her French officers and soldiery in their own language - the laird of Dun was well qualified to draw up such manifestoes - that the ancient amity between Scotland and France would be jeopardised for ever if they turned against their ancient allies⁸, an argument little likely to impress the subjects of a king who at that very moment was minded to use the extremest persecution possible against the Protestants, not only in his own dominions, but in Scotland as well⁹. The Scots nobility were also entreated, by the favour which some of them had shown to the reformed doctrine, and by the friendship due from all of them to fellow-

1. For. Cal. Eliz., 1558-1559, p. 264.

2. Knox, I, 319 et seq..

3. Buch., Hist., II, 236.

4. Probably the high ground between Perth and Bridge of Earn.

5. Knox, I, 336.

6. Ibid., 325.

7. Ibid., 326-327.

8. Ibid., 327-328.

9. For. Cal. Eliz., I, p. 272.

countrymen, to display the moderation that suspends judgment till fair trial be taken¹, to which appeal was added a warning to the Scottish clergy not noticeably inspired by the charity that suffereth long².

The regent's force approached within ten miles of Perth, and Argyll, the lord James Stewart and Lord Semple were detailed to interview the Congregation and inquire the reason for the convocation of the lieges³. D'Oysel was too good a soldier not to realise the difficulty of an attack upon a force advantageously situated, and with an easy line of retreat into a walled town. Hence the cautious step! The laird of Dun and others made it clear to the envoys "That gif the Quenis Grace wald suffer the religioun thare begun to proceid, and nocht truble thair bretherin and sisteris that had professed Christ Jesus with thame, that the town, they thame selffis, and quhatsoevir to thame perteaned, should be at the Quenis commandiment"⁴. Argyll and lord James, convinced that the Congregation were not political rebels, as the regent alleged, undertook to intercede for them with Mary⁵.

But a circumstance more potent than the representations of the two Protestant nobles disposed the queen-mother to protract the oral negotiations, namely the forced march of the earl of Glencairn and the Congregation of the West to join their co-religionists in Perth⁶; and Erskine and two other lairds had a conference with Châtelherault and d'Oysel at Auchterarder, to which the royal army had retired⁷. The regent's

1. Knox, I, 329-335.

2. Ibid., 335-336.

3. Ibid., 337.

4. Ibid..

5. Ibid., 338.

6. The comparative weakness of the royal force is evident from the fact that d'Oysel made no attempt to deal with the two hostile armies separately. For the numbers of Mary's troops, see Law Mathieson, I, 63.

7. If they had approached to within ten miles of Perth, the extra length of a Scots mile is not sufficient to invalidate the statement that they had retired. In any case, of course, the force when halted required billets, and these were obtainable in Auchterarder.

representatives demanded that her troops should have free entrance into Perth, and Erskine and his companions agreed to recommend their brethren to obey the regent's will in this, as in all else, on condition that the inhabitants of the town should be free from persecution in respect of their religious views and iconoclastic excesses, and that on her departure from it the regent would withdraw all French soldiers from the town. D'Oysel, fearing news at any moment of the junction of Glencairn with the party of Perth¹, dismissed the laird of Dun and his fellows "to perswaid the bretherin to quiet concord", a pacific task which they found well within their powers². The union of the two Protestant forces being effected, however, to the alarm of Mary, Argyll and the lord James again appeared on her behalf. With them Glencairn and Erskine of Dun concluded an arrangement that all the Scottish forces on both sides should be disbanded, that the regent should have permission to enter Perth and remain there for a few days to recuperate from the fatigue of her journey, that no townsman was to be injured, and that no Frenchmen were to come within three miles of Perth³;

Meanwhile John Knox had found among Glencairn's company his old friend, John Willock, and thus mutually reinforced the two proceeded to upbraid the regent's plenipotentiaries for desertion of their friends; but Argyll and lord James Stewart bound themselves to assist and concur with their brethren in all times to come should the queen-mother break her part of the bargain made. Upon this, the rank and file of the Protestant party were persuaded to approve the course agreed upon, though not without difficulty, and the Congregation took leave of Perth on the following afternoon, 29 May, 1559⁴. But before their departure several of the Protestant leaders entered into

1. The Perth party was unaware of the approach of Glencairn.

2. Knox, I, 341-342.

3. Buchanan, Hist., II, 238.

4. Knox, I, 343.

a band to spare neither labours, goods, bodies nor lives in maintaining the liberty of the whole Congregation and every member thereof if threatened directly or indirectly for religion's sake¹. It is curious that John Erskine is not given as one of the signatories, but he must have been in the confidence of, and in full agreement with, those who signed, particularly as the Congregations of Montrose, Angus and the Mearns were parties to the undertaking.

Mary of Guise entered Perth on the day the Protestants left it, and did not scruple promptly to disregard the terms arranged by her agents, for French troops accompanied her, the magistrates were oppressed, the son of Patrick Murray, Erskine's associate, was slain², and she arranged to leave behind a garrison of four companies of Scots in French pay "charged to permit no other Service but of the Roman Church"³; the last a breach at least of the spirit, as the other acts were violations of the letter, of her promise. Remonstrances were vain, for she replied that promises were not to be kept with heretics, and it is clear that Mary had no intention of being bound by her word when the retention of the only walled town in Scotland was at stake, a town calculated by reason of its central and strategical position to hold the Protestants in check, if only it remained in royal custody⁴. But she lost more than she gained, for her tyrannical and perfidious conduct deprived her of the allegiance of Argyll, the lord James and others, who, despite her threats, refused to reconsider their decision⁵ and made for St. Andrews. Thither they summoned Erskine of Dun and others of Angus who had left Perth with the Congregation; and these arrived on 4 June, accompanied by

1. Knox, I, 344-345. The date of the band is the last day of May. One would suppose that it ought to have been 29 May, but the chronology of the period is sometimes unsatisfactory.

2. His death was the result of criminal folly and evoked no expression of regret from Mary of Lorraine.

3. Petrie, century XVI, pt. 2, 204: Knox, I, 345-346.

4. Buchanan, Hist., II, 239.

5. 1 June, 1559.

John Knox, a circumstance which suggests the possibility of his having visited Dun once more¹.

Knox immediately opened a preaching campaign in the neighbourhood, and such success attended his efforts in the ancient town that archiepiscopal fear and wrath drove the archbishop to appeal to the queen-dowager, then at Falkland². But the Protestants disposed their forces so skilfully on Cupar Muir against the expected attack, and their numbers, reinforced at the last moment, were so unexpectedly great, that Châtelherault and d'Oysel refused battle and promised to open negotiations with the reformers; a promise only made to be broken³. Sir James Melville of Halhill was present with the regent when her forces returned and records that she "wes very far offendit, and thocht that they had lost a very fair occasion"⁴, and the same writer tells that Mary was fearful lest the lord James (illegitimate son, be it remembered, of James V) intended, under the pretext of religion, to usurp the crown of Scotland⁵. A mother's fears are often ill-founded, and Melville was assured by the suspect, whom he interviewed, that "to put the kingis Maieste of France, and hir Maieste, out of all suspition of his vsurpation, he suld banise him self perpetually out of Scotland, gif it wald please the K.of France and the Quen his souerane, to grant hym and his associatis sic liberte as the Quen Regent had parmitted themprouyding that his rentis suld com to him till France, or any vther cuntre wher he pleasit to remain"⁶. So much for the alleged selfish scheming of James Stewart at this time!

Both guile and force had now failed the regent, and by the end of June, 1559, Perth had been freed from its Roman Catholic garrison, Stirling and Linlithgow had witnessed the establish-

1. Knox, I, 347.

2. Ibid., 350.

3. Ibid., 351-354.

4. Memoirs of His Own Life, by Sir James Melville of Halhill, 1549-1593. Edinburgh, 1827. p.81.

5. Ibid., 78.

6. Ibid., 82.

ment of a reformed worship, and the Lords of the Congregation had entered Edinburgh, whence the dowager and her party fled to Dunbar. On the day the Congregation reached the capital Henry II of France penned a letter to Pope Paul IV, in which he announced his resolution to reinforce the efforts of Mary of Lorraine by the immediate despatch of a large body of French infantry and cavalry; further drafts would be sent as required; and the queen-dowager would thereby be enabled to chastise and punish the temerity and arrogance of her heretical and schismatic subjects¹. The chastisement was to be of lasting effect, for the heretics were to be exterminated and the realm cleansed "of infidels, disturbers and enemies of the common good and general peace". And we know on whom that chastisement would first have fallen, for Sir Nicholas Throckmorton heard on the day the letter was written that the purpose of the Guises was the apprehension and execution of Argyll, lord James and the laird of Dun and other, but lesser, partakers in their revolt; for, it was argued, religious disaffection was merely the preface to political disobedience². Such is the testimony of Throckmorton in Paris to the position of leadership which Erskine held in 1559 among the Protestants of Scotland. Truly, John Erskine of Dun shirked none of the issues of sixteenth century dissent when once he came forward as its open champion. And yet, at the age of fifty, he might well have been pardoned for taking a much less prominent part in the movement than did his fellow-reformers, for in point of age he was senior to most of them.

The queen-dowager, fugitive from her own capital, issued a proclamation in the name of her daughter, intended to put the Protestants in the light of open rebels against all civil authority³, while they in turn denied any purpose but the

1. Papal Negotiations with Mary Queen of Scots, ed. Pollen; Scottish History Society: pp. 17-20.

2. For. Cal. Eliz., 1558-1559, pp. 356-357. Protestant resolve: cf.

3. Knox, I, 363-365. Session Register, ed. Hay Fleming, I, 5-7.

Knox, I, 364, 365.

preservation of their preachers and fellow-worshippers from violence¹. Two deputations waited upon her, the first so well received that Protestant hopes ran high, only to be dashed when she demanded of the second a private conference with Argyll and lord James Stewart, a demand rejected as dangerous². On the same day³ Lord Ruthven and the younger Sandilands of Calder interviewed the burgh council of Edinburgh, their audience consisting of three baillies, six councillors, the treasurer, certain of the deacons of crafts and "ane gryt pairt of the commvnite", and invited them to bind themselves to the "furth-setting of Godis trew worde and dew obediace of the prynce"⁴. Whether their hearers considered the double request in the nature of a horned dilemma is unknown, for no result of the appeal is recorded, but the religious history of Edinburgh about this time suggests that the response was not very gratifying⁵.

On the next day, July 13, a meeting took place between representatives of the queen-regent's party and those of the Congregation at Preston. A hundred appeared from either side, of whom eight were selected to confer with eight, John Erskine being one of the Protestant delegates. The resultant discussion led to nothing save waste of time, and ^{end} agreeable to the regent, however, for she hoped to exhaust the money and the patience of her adversaries, who had remained in the field for over two months⁶. Though the advantage of winning over the capital to the reformed faith was a sufficient inducement to many of the lords, barons and gentlemen to contemplate spending the winter in Edinburgh with their households, yet Mary's hope was well founded, for many of the Protestants did depart home. The

1. Knox, I, 365-366.

2. Ibid., 367-368.

3. 12 July, 1559.

4. Extracts from the Records of the Burgh of Edinburgh, 1557-1571: Edinburgh, 1875: p. 46.

5. It may be, however, that the band of 13 July was drawn up with an eye to the registration of Protestant resolve: cf. St. Andrews Kirk Session Register, ed. Hay Fleming, I, 6-7.

6. Knox, I, 368, 369.

Congregation's extremity was the dowager's opportunity, and, her Franco-Scottish force having moved from Dunbar, the royal army reached the links of Leith on Saturday, 22 July, prepared to dispute the possession of Edinburgh with the Lords. The tables were turned. The town of Leith surrendered to the French. Protestant reinforcements could not possibly arrive in time to be of service, and the captain of Edinburgh castle, lord Erskine, uncle of the lord James, announced that resistance to the regent would be followed by bombardment of the town¹.

Under these circumstances, the Protestant Lords consented to the Articles of Leith on 24 July, by which it was agreed that the Congregation should quit the capital, render full civil obedience to lawful authority, and refrain from molesting Churchmen or interfering with ecclesiastical property; in return, they were promised immunity from persecution, civil or ecclesiastical, while the citizens of Edinburgh were to enjoy freedom of conscience in matters of worship, and the town was to be left empty of any garrison: the arrangement to continue till 10 January, 1559-60, when Parliament should meet to decide the matters in controversy². In accordance with these articles, the reforming party withdrew from the capital on 26 July and travelled by way of Linlithgow to Stirling³, leaving the brethren of Edinburgh to face a characteristic effort by the regent to re-establish Catholic observances there⁴. From Stirling the Lords of the Congregation, having entered into a bond to consult and act in common, took their departure after fixing 10 September as the date of their re-union⁵.

The Reformation movement in Scotland about this time under-

1. Knox, I, 373-375.

2. Ibid., 377-379.

3. Ibid., 380.

4. The Protestants of the town were apparently in a minority, for they refused a vote as a means of settling the difficulty and successfully insisted on the observance of the terms agreed upon (Edinburgh Records, 1557-1571, 46-48).

5. Knox, I, 382-383.

went a change of character, though its professors repudiated as loudly as ever any purpose beyond the attainment of religious toleration. Convinced of the impossibility of achieving religious liberty without surrender of their civil allegiance, the Lords of the Congregation determined to cast off the latter, and Knox, Balnaves and others were employed to secure by negotiation with Sir Ralph Sadler and Sir James Crofts the financial support of England in their struggle with the dowager. The position of Elizabeth was difficult. Her subjects were not so wholeheartedly Protestant that she dared risk offending them by giving open aid to the Congregation. Her engagements bound her to ostensible amity with France. But the designs of France were inimical to herself and her country's freedom. On the other hand, Knox was anathema to her, and to encourage rebellious subjects of the Scottish crown was a dangerous object-lesson to many of her own. Yet prudence indicated the wisdom of fanning the fires of religious, racial and political animosity north of the border, for thus would France find her hands too full to carry into execution the anti-English designs of the family of Guise, then, as a result of the death of Henry II, at the head of the government of France. If only her end could be reached without open breach of faith, Elizabeth was willing to use the instruments ready to her hand, and in September, 1559, Sadler and Crofts paid to Henry Balnaves, as agent for the Lords of the Congregation, a sum of two thousand pounds sterling, and promised further supplies if the first payment should be well employed in such fashion that their queen's public honour should not be involved. There was no doubt about the purpose to which the money would be put, for the recipient had announced that, when the Lords assembled in Stirling on the tenth of the month, they were in hope of hearing of "som good ayde and comfort" from England, with which they might, when the late harvest should be reaped, take the field once more¹.

¹ Sadler's State Papers, I, 431-435.

At this time there returned to Scotland the earl of Arran, Châtelherault's eldest son, a Protestant who had with difficulty escaped from projected persecution in France. How far political ambition began to sway men like Arran and his father and lord James Stewart is a mystery: it is certain that they had every inducement to entertain it. But of Erskine of Dun's motives there can be little, if any, suspicion, for not only did he lavish his means upon the task of winning religious emancipation for his native country¹, but, that secured, he turned to purely ecclesiastical activities. Apparently beset by no political temptations, urged by no self-seeking motives, he stands out as one of the few laymen of the time to render unquestionably disinterested service to the cause of Protestantism in Scotland.

But if he had no personal ends to serve, Mary of Borraigne's action in putting a stop to trade with England "because, as it is supposed, she wolde have no resorte of Scotts into Englande"² cannot have failed to disturb the laird of Dun. His interest in the commercial prosperity of Montrose and Dundee is no far-fetched assumption; nor would the communities of these towns be the less disposed to value the triumph of Protestant teaching. Consequently the commission given to Glencairn and Erskine in September to suppress the abbey of Paisley³ may have been accepted by the laird with a vindictive satisfaction seldom aroused in his "gentill nature" by acts of aggression or destruction, however reasonable and necessary they might appear.

The archbishop of St Andrews was in the west in that month of September, but his anxiety to detach his relatives of the house of Hamilton from the Protestant Lords led to nothing, though the arguments he advanced may have been responsible for

1. Sadler's State Papers, II, 7.

2. Ibid., I, 440.

3. Ibid., II, 3. All the "ymages, ydolls, and popish stuff" were burned (Ibid., II, 6).

Arran's fear that he had "owr sein himself rycht far". But the archbishop could give Mary little comfort, for he advised her to prepare for the worst and make herself "stark in all sortis"¹. The grounds for his despondency are supplied in another letter which he sent to the dowager on 29 September: the earl of Argyll was busy making arrangements for his friends and supporters to take the field on an hour's warning, basing his appeal on the assertion that "the france ar cumin in and sutin down in this realm to occupy it and to put furtht the inhabitantis tharoff and siclik to occupy all vther menis rowmes"; and many favoured the reformers².

In the second of these letters Hamilton informed the regent that the rest of the Congregation depended on Argyll, and their procrastination in August and September, 1559, allowed Mary to strengthen her position. Reinforcements from France having landed, the fortification of Leith was commenced, and this produced an explicit but disregarded remonstrance from the Congregation³, Balnaves assuring Sadler and Crofts with exaggerated confidence that "the hole nobilitie and commonaltie of the realme wolde provide remedie"⁴, when, in point of fact, the Protestant cause was accorded a very dubious loyalty by many of its professed adherents.

The mixed motives which inspired the party of the Congregation were an inducement to the dowager to attempt the detachment of some of its leaders, and she found a credulous agent in Robert Lockhart, who like John Erskine had taken part in public exhortation at the time of the establishment of the Privy Kirk. Lockhart was entrusted with certain secret letters for the laird of Dun, the earl of Glencairn, and others, but he refused to hand them over without receiving a promise that

1. Letter from the archbishop to Mary of 28 [September, 1559] in the Register House, Edinburgh - correspondence of Mary of Guise. *Printed Archbishop's Letters, V*.

2. Letter of "this penult of September" [1559] - correspondence of Mary of Guise.

3. Knox, I, 413-414.

4. Sadler's State Papers, I, 461.

the contents would never be divulged. This promise, however, he failed to secure, for the bond of 1 August forbade individual dealing with the regent by letter or in person¹. We are therefore unaware of the contents of these communications, but, apart from the circumstance which prevented the delivery of the letters, it is safe to say that the day was past when Mary of Lorraine could obtain easy credence in Protestant circles, for Robert Lockhart was merely the exception who proved the rule. The reformers feared the queen-dowager, but never more than when she showed a Greek generosity.

Early in October, 1559, Elizabeth's agents were urging upon the Lords of the Congregation the necessity of an immediate attack upon Leith² before additional French reinforcements should arrive at that port, and on the eighteenth the insurgents arrived in Edinburgh with that end in view. A council of thirteen, of whom Erskine was one, was chosen to govern the policy of the Reformers³, and on the twenty-second of the month this council determined that an additional force of three thousand men should be raised, the leaders to contribute according to their ability⁴. The step was certainly advisable, for on the previous day they had framed a decree of suspension against the regent⁵, in which her alleged offences against the realm were recited, the gravamen of the charge being the plea, disingenuous on the face of it when advanced by a party in receipt of English subsidies, that Mary had attempted to enslave the country to a foreign power. The inconsistency is more apparent than real, however, for a nationalist policy alone could secure for Scotland the power to effect without extraneous interference an ecclesiastical settlement satisfactory to the

1. Knox, I, 434.

2. Sadler's State Papers, II, 25, 29.

3. Sadler's State Papers, II, 48: State Papers, ed. Bain, I, 254.

John Erskine was one of those who voted in the election.

4. Sadler, II, 50.

5. Knox, I, 444-449.

honest advocates of religious reform: the policy of Mary of Guise had for years been palpably anti-national: and English help was not inconsistent with the cherishing of patriotic hopes by the Scots who sought and valued that assistance. Two days later a letter announcing to Mary the suspension decreed against her was written¹. Erskine of Dun was one of those who signed it², and it is probable that the signatories of the letter had signed the proclamation of 21 October³.

It was easy to decide upon the raising of additional troops but the Lords of the Congregation were evidently getting near the end of their resources, for Knox announced in a letter to England written on October 23 that the number of his needy brethren "is now augmented, and thare povertie also in such sorte, that yf relief be not provided spedely, I fear that mo than I murn when we may not so weall amend it"⁴. Popular support sufficient to maintain the reformers' forces at uniform strength was lacking: the volunteers who came forward served for short and discontinuous periods and their discipline, training and efficiency left much to be desired: the paid soldiers were neither numerous nor dependable. An assault upon Leith was therefore a hazardous undertaking. The Scots were not masters of the art of carrying a fortified town by assault⁵. They were ill supplied with ordnance⁶, and even for small arms they stood in need of powder⁷. We know that Scots towns were imperfectly walled, and absence of opportunity may have accounted in part for the lack of ability to storm Leith. But that sea-port was defended by war-hardened veterans, while the forces of the Lords were undisciplined and illtrained, and, in any case, they had "no will to hasard"⁸. It cannot be surprising that urgent appeals were sent to England to supply money

1. Knox, I, 449-451.

2. Ibid., 451, note.

3. cf. Hume Brown's Life of Knox, II, 52, note.

4. Sadler's State Papers, II, 218.

5. "The Scotts can clyme no walles". Sadler, II, 52.

6. Sadler's State Papers, II, 68, footnote.

7. Ibid., 51.

8. Keith, I, 398: letter of 25 October, 1559, from John Knox to Sir James Crofts.

and men, but the Lords took what steps they could to increase and improve the force at their disposal. A general contribution and "benevolence" was to be levied¹. "But becaus some wer poore, and some wer nigardis and avaritiose, thair could no sufficient sowme be obtained"². The Lords determined to coin their plate³, but that project came to nothing because they failed to secure the coining-irons from the Mint⁴. They had in October six companies of footmen, each about two hundred and fifty strong, whose monthly paybook showed payments of £1740 sterling, and a hundred horsemen who cost £230 per month, and they calculated that two thousand footmen and three hundred cavalry were required for their purpose⁵. The impoverished nobles and Scottish barons could certainly raise no such sum as £3000 sterling a month, and yet failure in their enterprise meant forfeiture of lands and life. No wonder Knox was so uncertain of his loyalty that he could only say that "the authoritie of the Frenche king and quen is yet receaved, and wilbe in wourd till thei deny our most just requeastes"⁶!

As for the discipline of their forces, the Lords drew up a scheme of military government at the time when they decreed the collection of a general contribution⁷. Supreme commanders were to be set over infantry and cavalry respectively, and a marshal and assistant-marshal were to be chosen to supervise discipline on the march and protection at rest and to settle matters in dispute between man and man, while a simple code of military law was proposed in order to standardise penalties for failure to keep watch, disobedience of orders, brawling, drunkenness, theft of victuals, and the like.

But neither financial self-denial nor belated organisation

1. Keith, I, 380: Sadler, II, 77-78.

2. Knox, I, 453.

3. Sadler, II, 74.

4. Knox, I, 454.

5. Keith, I, 406. Letter of Balnaves to Crofts.

6. Sadler, II, 218-219.

7. Keith did not embody these disciplinary provisions, Vol. I, 380. Wodrow's copy is in the Wodrow MSS., Folio, XLVI, 19-20, and there is little difference in Sadler, II, 77-78.

was destined to be of much avail, for on 5 November, 1559, the Protestant troops, tactically ill-handled and deficient in morale, were heavily defeated by the French¹, and next day the Lords of the Congregation deserted Edinburgh and fled to Stirling. The operations against Leith were marked by no recorded military achievement on the part of the laird of Dun. He was then in his fifty-first year and therefore past the time of life when the responsibilities of command could be entrusted to him with confidence, for a commander in the sixteenth century had to face the risks and the physical strain of battle². But, if his prowess with the sword were failing, it seems likely that he made trial of his skill with the pen.

The party of the regent held the Congregation up to scorn as cowards when they fled to Stirling, and "The Apologia off our Departur"³ was almost certainly the Protestant rejoinder to those jeers. Laing assigns the document to this time and ventures the suggestion that it was the work of Maitland of Lethington or of Erskine of Dun. But the former had opposed the evacuation of Edinburgh, and had not been long associated with the Congregation⁴, and Dr. Hume Brown considered that the style of the manifesto resembled that of Erskine in his extant writings⁵. It was almost certainly not composed by Knox, and on the balance of probability it may be ascribed to the laird of Dun as the likeliest of the possible authors. The defence advanced is a recital of the Scriptural instances of justified flight and the plea that the departure of the Congregation was warranted by their desire to render to their countrymen the treasure of faith and truth which God had given to themselves.

1. Knox, I, 460-463.

2. It is often forgotten that constant travel on horseback must have preserved such men in a high state of physical fitness far beyond the normal limit of to-day.

3. Knox, VI, 686 (Appendix).

4. Spottiswoode, I, 306-307. Lethington joined the Congregation on 31 October (Knox, I, 463-464).

5. Hume Brown's Knox, II, 61, note 2.

The tone of the pronouncement is as moderate as the desperate straits of the writer and his friends could well permit it to be, and is in keeping with the character of Erskine as revealed to his contemporaries. It is rather a future superintendent of the church who writes than a defender of Montrose, and indeed the absence of political argument and of unfair comment on the enemies of the Congregation are features which suggest that the document was the work of a man actuated neither by disappointed political ambition nor by exacerbated animosity towards his opponents, but sincerely desirous of the triumph of the religious views in support of which his party was, nominally at least, in revolt.

The council of the reforming Lords, arrived at Stirling, despatched their latest recruit, Maitland of Lethington, to seek further help from England and appointed 16 December as the date, and Stirling the place, of their next meeting¹. Châtelherault, Argyll and Glencairn sought safety in Glasgow², while Arran, the lord James, Rothes, Ruthven and the lairds of Dun and Pittarrow went to St Andrews and there consulted on the affairs of the realm and the furthering of religion³. Both parties were to endeavour to secure the assistance of such noblemen as had not yet joined the reformers, and from time to time each was to advertise the other of its proceedings so that nothing should be done without the consent of all⁴. The temper of their consultation anent the affairs of the realm may be guessed from the proclamation which the Glasgow party presumed to issue in the name of Francis and Mary on 29 November, 1559. Petrie printed this document, having found a copy at Dun with the seal intact, and from its terms it is probable that the St Andrews group issued a similar proclamation. The tenor is as

1. Knox, I, 473.

2. Ibid., II, 5.

3. Wodrow Miscellany, I, 73.

4. For. Cal. Eliz., 1559-1560, p. 126.

follows:¹— "Francis and Marie, King and Queen of Scots, Daulphin and Daulphiness of Viennoys, to our lovets [blank] messengers or sherifs in that part conjunctly and severally specially constitute, greeting. For so much as it is understood by the Lords of our Privy Councell that be reformed, of the suspension of the Queen Dowrier's authority, the samine is by consent of the Nobility and Barons of our realm, now by God's providence devolved unto them: And their chieff and first charge and study is, and should bee, to advance the glory of God, by maintaining and upsetting true preachers of the Word, Reforming of Religion, and subversion of idolatry; And there are diverse of the clergy, who have not as yet adjoined themselves unto the Congregation, nor made open testification of their faith, and renunciation of idolatry; Our will is heerfore and we charge you straitly, and command that incontinently these Our letters seen, yea pass and in our name and authority command and charge all and sundry of the clergy, who have not as yet adioined themselves to the Congregation as said is, by open proclamation at all places needfull, That they compear before the saids Lords of Counsell in Santandrews the [blank] day of [blank] and there give open testification of their conversion with plain confession of their faith, and renunciation of all manner of superstition and idolatry; With certification unto them, if they fail, they shalbe reputed and holden as enemies to God and true Religion, and the fruits of their Benifices shall be taken away, one part thereof to the true preachers who ministrate truly the word, and the remanent to be applied to the forthsetting of the Common well of our realm. The which to do we commit to you conjunctly and severally Our full power by these our letters delivering by you duly execute and indorsed again unto the bearer. Given under our signet at Glasgow the

1. Petrie, century XVI, pt. 2, 215; also copied by Keith, I, 246-247.

penult day of November and of our reignes the first & seventeenth years".

From the circumstance that St. Andrews is specified as the place of confession it may be argued that this extraordinary pronouncement was first thought of there. How far it was considered likely to make for national peace or Protestant strength it is difficult to say, but only undue optimism could ascribe to it any appreciable influence. Apart, however, from the unconstitutional nature of the proclamation, there is contained in it a suggested appropriation of ecclesiastical revenue of the greatest possible interest in view of the later pecuniary difficulties of the Reformed Church. How far the contemplated allocation of clerical wealth met with Erskine's approval, we have no means of knowing, but it is certain that the future superintendent was not ignorant of the measure of financial generosity which his associates of 1559 were willing to show to the "true preachers who ministrate truly the word".

Meantime the ^{men} citizens of Edinburgh and Leith found the presence of French troops increasingly irksome, so that the governor of Edinburgh castle, having refused to surrender it to Mary of Lorraine on the ground that it had been committed to his custody by Parliament, which alone could discharge him of the responsibility, was able to supply his command with such stores as he was in a position to purchase, the friendship of the people of town and country being more effective than the hostility of the French¹. D'Oysel, however, received reinforcements early in December, and the Lords of the Congregation in Fife determined to raise the gentlemen of Angus, and wrote to their friends in Glasgow to mobilise the Protestant forces of the west². Their desire once more to take the field against the forces of Roman Catholicism was matched by the determination

1. Sadler, II, 162.

2. Ibid., 168, 169.

of Elizabeth to give them more open help. Maitland of Lethington had convinced the English queen that the danger was acute, her despatches from France urged her to activity, and a pretext for armed intervention was supplied by the report of Sadler and Crofts that the French were about to fortify Eyemouth, the dismantling of which had been decreed by the treaty of 1550¹.

Accordingly the invasion of Scotland by sea and land was decided upon, and the decision was communicated to the Lords of the Congregation at St. Andrews on 15 December, whereupon word was sent to Glasgow calling a meeting at Stirling six days later². But d'Oysel cannot have been ignorant of the preparations in hand³, and on Christmas Eve a French force was sent against Stirling⁴, whence the Protestants fled the following day, retiring to Kinghorn in Fife⁵.

The events of 1559 demonstrated the inability of the Congregation either on religious or on political grounds to rouse the country against the regent. On the contrary, the preparations in France encouraged Mary to believe that civil and religious peace would shortly be attained by the defeat of the Protestant faction. The fighting of January, 1559-60, provided evidence that, failing English help, the struggle might continue for a little longer but would without doubt result in the defeat and dispersal of the Congregation. Such a defeat might not have meant the final eclipse of Protestantism in Scotland, but it is certain that Catholic Europe would have felt assured not only of the issue of the Scottish conflict but also of the re-conversion of heretical England. In sheer self-defence Elizabeth could take only one course.

The anxiety of the Scots, as they waited for the arrival of the English fleet, is patent from the most cursory examination

1. Sadler, II, 172, 173.

2. Ibid., 185.

3. Ibid., 192.

4. Ibid., 212, in error numbered 213.

5. Ibid., 204.

of Sadler's correspondence, and, when every trained man was a make-weight in the scale of success, the arrival of three hundred additional Frenchmen in Leith must have been depressing news for the Protestant Lords¹. They were advised to harass the French force in occupation of Stirling by using their superior strength of cavalry to cut off foraging parties sent out from that town², but the initiative evidently lay with the French, for the Protestants were compelled to fall back on St. Andrews, and their enemies pushed as far east as Kirkcaldy, Arran and Lord James being so apprehensive that they seriously contemplated the abandonment of Fife³. The Reformers achieve what success befel them by the use of their horsemen⁴, but the French were victualled from ships which kept them company along the coast of Fife⁵, so that the superiority in horsemen ceased to be of much account. To make matters worse, the French wasted the dwellings and stores of the entire countryside, and the strenuous work and probable shortage of fodder made it difficult for the Congregation to keep their horses in condition and so maintain even the numerical advantage in mounted men which they had possessed⁶. According to Knox⁷, the small force of the Congregation, amounting to fewer than five hundred horsemen and a hundred enlisted soldiers, wore their boots for twenty-one days on end, and every day they were engaged in skirmishes, on some days from morning till night.

So unequal a contest could not long continue, and the French advanced to near Elie on 23 January, 1559-60⁸. But on that very day appeared the van-guard of the English naval force⁹, and d'Oysel, realising that he could no longer provision

1. Sadler, II, 216, in error for 217.

2. Ibid., 221.

3. Ibid., 222.

4. Ibid., 227.

5. Ibid., 233.

6. Ibid., 232. They were "constrained by reason of their continually labour to seeke som rest for themselves and their horses".

7. Knox, II, 9.

8. Ibid., 13.

9. Ibid., and Sadler, II, 236.

himself by sea, and doubtless bitterly regretting that his men had laid waste the country so thoroughly, had no option but to make for Leith by way of Stirling. The Reformers' cavalry once more acquitted themselves well, and were apparently handled with considerable skill. The bridges in the way of the retreating Frenchmen were destroyed, they were so continually harassed that they were unable to forage and perforce went hungry¹, while to add to their misery the weather was as inclement² as the Scots were hostile.

A few days later a conference was arranged to take place between the Duke of Norfolk, the commander of the English army, and representatives of the Congregation at Berwick³, and John Erskine was one of the eleven leading reformers who at Glasgow on 10 February, 1559-60, signed the somewhat vague instructions handed to the envoys of the Congregation⁴, instructions which permitted them considerable discretion in their conduct of the negotiations⁵. Evidently the laird of Dun was fully convinced that the fortunes of his party were definitely and finally in the ascendant, and he appears to have taken steps to register that ascendancy in Montrose. On 22 February a letter, purporting to state the pleasure of Francis and Mary, and obviously inspired by Erskine himself, was issued by the Protestant lords at St. Andrews. After recounting the selfish use to which the Black Friars of Montrose had put the income of their house, a foundation, it was alleged, originally intended to benefit "the povirs of that toun", and recording that the said friars had been ejected, the letter announces the will of the lords of the Privy Council - in other words, the will of the Protestant Council - that the charity be restored to its

1. Sadler, II, 237.

2. Knox, II, 14: Sadler, II, 240.

3. Sadler, II, 241, 242.

4. Knox, II, 53-56.

5. cf. item 17: "We gif and grantis you full power to augment, or diminische thir saidis heidis and Articles, as ye think the weall of the cause sall requyre in all pointis".

proper use and a hospital erected. Being also persuaded of their colleague's "fayth, conscience, and pietie towarte the poore" the Lords constitute John Erskine of Dun general factor of the fruits of the charity, disposer of the "excrecence giff ony beis" for the erection of the hospital, and principal master thereof¹. If John Erskine's loyalty had wavered under severe strain, his sense of local patriotism had not declined.

The barons of the Mearns about this time took in hand the furtherance of the reformation of Aberdeen, but, before the programme of destruction was complete, the earl of Huntly appeared on the scene in time to save the cathedral, though not to preserve the houses of certain religious orders². If Erskine was of this party he had thus early intimation that Huntly might be a troublesome neighbour to the ecclesiastical authorities of Angus and the Mearns when the reformation should be an accomplished fact. But the purpose of these barons may not have been purely religious. It was important on military grounds that the eastern seaports should be in Protestant hands, and their uses were recognised by the French, who early in March decided to send their couriers to Aberdeen, Montrose, or Dundee³. The barons of the Mearns, in their effort to confirm the people of Aberdeen in the reforming zeal which they had already manifested, may have been actuated largely by a desire to render the town an inhospitable refuge for the messengers of France.

Meantime the representatives of the Congregation had arranged on 27 February, 1559-60, with the Duke of Norfolk the terms of the Treaty of Berwick⁴, by which Elizabeth was committed to the protection of Scotland from French conquest. The terms of the treaty were exceedingly favourable to the Scots,

1. H.M.C., Fifth Report, p. 640, no. 65.

2. Spottiswoode, I, 314-315.

3. For. Cal. Eliz., 1559-1560, 442.

4. Knox, II, 46-52.

whose liberties were most jealously safeguarded. The bargain was not one-sided, but fear of French designs was quite evidently the predominating consideration present to the mind of the English plenipotentiary. The treaty concluded, the Scots returned home to rouse their country to adequate support of the English military expedition. To that end the Congregation on 27 March, 1560, issued a letter to the Scottish nobility calling upon them to resist the French in their manifest purpose of subjugating Scotland¹. The failure of the Congregation to compass the defeat of their enemies was set down to the treasonable abstention of those to whom the letter was addressed. The message was supplementary to a previous overture, which had been disregarded, and the second appeal urged upon the recipients to show themselves "true natyve Scottismen" by joining the Congregation at Linlithgow on 30 March with their kinsmen, friends, tenants and servants, in order to march forward and unite with the English at Aitchison's Haven² near Prestonpans. The communication, entirely secular in argument, winds up with the warning that those who fail to support the writers will be held "playne enemyes to the common weile of this our native countrey".

Linlithgow, however, was an impossible rendezvous, for the French were in possession of that town and of Stirling³. Their merciless treatment of the country at this time was a rejoinder to the threatened ^{English} invasion, but it inevitably prejudiced the populace in favour of their old enemies of England and made the issue of the conflict more certain⁴. Norfolk's force crossed the border on 2 April⁵, the queen-dowager being received into Edinburgh castle the day before⁶, and, the English and Scottish armies having united, the reforming Lords sent a letter to Mary⁷ calling upon her to send her French troops home

1. Sadler, II, 251-252.

2. Now Morrison's Haven.

3. Sadler, II, 250.

4. cf. Knox, II, 64-65.

5. Knox, II, 57.

6. Ibid., 58, note 1.

7. Buchanan, Hist., II, 254-255, dating the letter 4 April: Spottiswoode, I, 316, dating it 5 April.

and proclaiming that neither malice nor hatred had moved her daughter's subjects to take arms, but that the extreme need of preserving the commonwealth and themselves from utter ruin was their sole motive. The appeal, seconded by an offer on the part of the English to withdraw if the French would peacefully depart forth of Scotland¹ - an offer which led the Scots to demand definite assurances from their allies that they would make no separate peace - was founded on the need for civic peace and quiet, and made no more mention of religious differences than the appeal to the nobility had done. Religious enthusiasm or religious dissatisfaction could no longer be expected to augment the strength of the reforming party, and if political disaffection rather than Protestant zeal had become the most obvious inspiration of Mary's opponents, there was the more reason why an appeal should be made on grounds appreciated by those who had never been influenced by doctrinal discontent.

These considerations doubtless had due weight when the covenant of 27 April was drafted, for that Band, while it certainly pledged the signatories to "sett fordwart the Reformation of Religioun", laid greater emphasis on the need for expelling the French and supporting the provisional government of the Council of the Congregation². In any event the accession of Morton and Huntly was secured, and so many prominent men signed the Band that the queen-dowager in amazement exclaimed against those who had encouraged her in her courses. Knox appends only forty-nine signatures to the document, but additional names were secured subsequently, the final list running to a hundred and fifty-three³, among them the name of John Erskine. From the fact that Erskine's signature was not attached at the time the Band was drawn up, and from the absence

1. Spottiswoode, I, 316.

2. Knox, II, 61-64: Keith, I, 273-274.

3. Keith, I, introduction, CVIII-CX.

of any record of his participation in the operations before Leith, we may surmise that he took no part in the attack upon the French in the spring and early summer of 1560. His age was a sufficient reason for his retirement from an active share in the struggle, but there is nothing in his character to contradict the notion that the changing complexion of affairs was a disappointment to one whose ambition had been religious reform rather than change of government. For all his later fervour in the solution of practical difficulties which confronted the Reformed Church from time to time, a man so interested in education, so warm-hearted, so genuinely pious, as Erskine appears to have been, was probably not exempt from the despondency to which a lofty idealism is often prone when practical considerations obscure ideal ends. On the other hand, his increasing years and growing unfitness for the fatigues of soldiering may have restricted his interest in the secular activities of his associates and disposed him, like Loyale, to less militant, but as necessary, services.

The siege of Leith was not the brief experience which English help had indicated it might be. The besiegers numbered about 18,000 at the outset, rather more than half of them Scots. But neither English nor Scots had the discipline or skill of their adversaries; the Scottish volunteers served for short periods; the English leaders were not uniformly zealous. The 4000 Frenchmen were all trained men, ably led, and fighting behind defences planned by the highest engineering skill of the time. The military honours of the siege were almost entirely theirs. But the scales were heavily loaded against them in that their food-supplies were inadequate and incapable of renewal, their hunger driving them to take risks which no beleaguered troops could normally anticipate. Negotiations were attempted, but the mere passage of time was a gain to the allies, if only the delay could be kept within the limits prescribed by their financial capacity to endure. Mary of Lorraine died in the castle of Edinburgh on the night of 10-11 June,

passing away on the eve of that victory which she had conceived it her mission to prevent, for on the fourteenth of the same month were opened at Berwick preliminary negotiations between English and French ambassadors¹, and hostilities were suspended three days later.

On 6 July, 1560, the Treaty of Edinburgh was finally agreed upon by the representatives of England and France, and on the same day the matters in dispute between France and Scotland were settled by a series of articles², which provided that no foreign troops should ever be introduced into Scotland save to repel invasion, and then only with the consent of the Three Estates. The French, save for small garrisons on Inchkeith and at Dunbar, were to quit the country when the English took their departure. The fortifications of Leith were to be demolished, and no others were to be erected nor repairs carried out to existing strengths without the advice and consent of Parliament, a condition also imposed on Francis and Mary in regard to the declaration of war. Parliament was to meet in that month of July and, after adjournment, re-assemble on 4 August, and an act of oblivion was to protect partakers in all armed activities since 6 March, 1558-59. During the queen's absence from Scotland the government should be carried on by a council of twelve, seven selected by the queen and five by Parliament from twenty-four nominated by the latter. Scots alone were to be appointed to the chief offices of State. Convention in arms was prohibited, save in accordance with law and custom, and ecclesiastics were to live undisturbed³.

Ten days later the French and the English forces took their departure, and Scotland was free to turn at last to the solution of those problems which had lain at the root of the bitter discord.

1. Keith, I, 287-289.

2. Ibid., 298-306.

3. These articles were referred to in the Treaty of Edinburgh. See Keith, I, 294.

CHAPTER VI. 1560-1562.

It will have been observed that the arrangements of July, 1560, made no reference to any doctrinal change in the official religion of Scotland, but the certainty of such change must have been clearly recognised by all. On Friday, 19 July, three days after the departure of the French and English forces, a solemn thanksgiving service was held by the Protestants in the High Church of Edinburgh¹, and shortly thereafter eight ministers were appointed by the commissioners of burghs and certain of the nobility and barons, of whom beyond question John Erskine was one, to preach the gospel of the reformed faith in the principal towns of Scotland², and five men were nominated to the new office of Superintendent, John Spottiswoode for Lothian, John Winram for Fife, John Willock for Glasgow, John Carswell for Argyll and the Isles, and John Erskine of Dun for Angus and the Mearns, the last-named being the only one of the five who lacked the academic designation of Master³. These nominations, however, were provisional upon the fitness for office of those chosen and upon the lack of more suitable candidates.

This was striking the iron while hot with a vengeance, though doubtless it seemed to those who so acted the simple dictate of commonsense. The country was in large measure united in counting itself well rid of the French, but religious conservatism and ecclesiastical vested interests made an equal

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1. Keith, I, 309: Knox, II, 84.
 2. John Knox in Edinburgh, Christopher Goodman in St. Andrews, Adam Heriot in Aberdeen, John Row in Perth, Paul Methven in Jedburgh, William Christison in Dundee, David Ferguson in Dunfermline, and David Lindsay in Leith. Knox, II, 87: Keith, I, 309-311.
 3. Knox, II, 87.

enthusiasm for doctrinal innovation out of the question, and Maitland of Lethington reported to Cecil that, though Protestantism had in outward appearance the upper hand, few or none daring openly to profess contrary opinions, yet many would be glad to see the reformed faith overthrown, for they were inspired by motives of gain, partiality for France or eagerness for favour at court¹. And it is instructive to note that the self-constituted directors of reformed ecclesiastical policy made no attempt at the time to organise proselytising activity throughout the whole country, a feasible task if sincere converts to their views had been sufficiently numerous, energetic and influential.

Parliament assembled for business in August. More properly it was a Convention, in the ordinary sense of that word, since it had not assembled by royal summons, and Scottish constitutional practice proclaimed it a Convention in the specialised sense that it had not been called on a notice of forty days. The importance of the occasion brought together an unprecedentedly large, though, as was natural, not a completely representative, gathering, the smaller barons in particular appearing in force, and without delay the members, having asserted the legality of their meeting, proceeded to the settlement of their country's religious future by calling upon the ministers to draft a Confession of Faith². The expedition with which this was completed, and the quality of the finished work, are universally admitted. When submitted to Parliament³, it was received with an absence of adverse comment which did not connote universal approval, for among those who attended feeling was evidently strong against any who on grounds of conviction or self-interest might have been expected to reject

1. Keith, III, 211.

2. Knox, II, 95-120.

3. 17 July, 1560.

so radical a departure from Roman Catholic theology. Only five lay votes were cast against the Confession, while its clerical opponents were even more guarded¹. John Erskine apparently spoke in favour of the Confession², thus publicly approving the Calvinistic bias which the authors had imparted to their doctrine³.

Before the Parliament dispersed, the ground having thus been cleared, the legislature passed three acts which abolished Papal jurisdiction, condemned all teaching and observance contrary to the accepted creed, and forbade the celebration of Mass⁴, and, further, chose twenty-four names⁵ to be submitted to Francis and Mary as a short list for membership of the Council, from whom eight were to be selected by the king and queen and six by the nobility⁶. Of the six barons who figured in the list John Erskine was one, but, as the twenty-four were representative only of the Protestant interest, it is difficult to see how his name could have been omitted.

The reformers had no illusions about the attitude of Mary and her French advisers toward their root-and-branch policy⁷, but they were emboldened by a hope that England would be knit more closely to her northern neighbour, and on 31 August a letter was sent to Francis II asking that he should forward the designs of the embassy which was to proceed to England to solicit for the earl of Arran the hand of Elizabeth. The letter bore seventeen signatures representative of all classes, and six provosts of burghs signed the petition, John Erskine in his capacity of provost of Montrose⁸. The project was obviously based on the writers' desire to safeguard the changes so

1. Knox, II, 121-122 and For. Cal. Eliz., 1560-1561, p. 241.

2. For. Cal. Eliz., 1560-1561, p. 241, Letter from Randolph to Cecil, where among those who spoke for the Confession is mentioned the "Laird of Erskine".

3. The Confession, though ratified by Parliament, was not recorded among its Acts till 1567.

4. A.P.S., II,

5. Keith, I, 326. Diur. of Occ., 62, omits the earl of Athole.

6. The original figures were seven and five respectively. See p. 112.

7. cf. Knox, II, 126.

8. Teulet, I, 620-622.

recently achieved, but though the Scottish ambassadors deputed by the Estates laid the proposal before the queen of England¹ it elicited merely a polite refusal², a refusal which in all likelihood postponed the union of the crowns for forty years. Catholics had not lost hope of the re-establishment of French temporal and Roman ecclesiastical domination, to be secured by the arrival of a French army in the spring of 1561, the refusal of Mary and Francis to ratify the Treaty of Edinburgh was certain, and the prospect of seeing their work destroyed was to be feared much more by the Protestant party than even the extinction of Scottish political independence.

It is unnecessary to suppose that John Erskine was free from fears as to his temporal comfort and personal safety if the designs of Francis and Mary should mature. In the eyes of his sovereign his disservices to the state and to religion would far outweigh his diplomatic and military record. But, if he entertained such fears, they probably did not affect his conduct. His earlier history had pre-disposed him to amity with France, and an Anglo-Scottish alliance, still more an Anglo-Scottish union, would have made a vain appeal to the laird of Dun had not English friendship become the sheet-anchor of Scottish Protestant hopes: ~~the~~ the very fact that Erskine was associated with the political schemes of his colleagues affords presumptive evidence that he, who could hardly hope to gain in influence or in wealth by their triumph, was animated exclusively by the conviction that even the preservation of that national independence which he had once held dear was a consideration secondary to the establishment in his native land of the religion to which he had given his firm adherence. He lacked all the inducements to rebellion save that single motive. In an age when meticulous obedience to law was any-

1. Diur. of Occ., 62, 63.

2. Keith, II, 9-11.

thing but a national characteristic, none was less prompted by worldly considerations to display a contempt for it than was Erskine of Dun.

That the Protestants felt themselves insecure, and that the Catholics were beginning to take courage, toward the close of 1560, is evident from a proclamation which Petrie found at Dun. Catholic zeal was not dead, and in Brechin, the very heart of the diocese provisionally assigned to Erskine of Dun, a consistory court was busy with its threats to prevent accessions to Protestant strength. The Council therefore, doubtless on the invitation of the superintendent-designate, issued the following instruction:- "Francis and Marie by the Grace of God King and Queen of Scots, Daulphin and Daulphiness of Viennois, To our lovets [blank] our shirefs in that part conjunctly and severally specially constitute greeting. For so much as the Lords of our Counsell understanding the great hurt and iniquity, that in times past hath proceeded to the members of Christs Church by maintaining and upholding of the Anti-christs lawes and his consistory, boasting¹ and fearing the simple and ignorant people with their cursings; gravatures and such like others their threatnings, whereby they sate on the conscience of men, of long time by gone, Ordained that no consistory should be afterward holden, hanted nor used, Having respect that there be enough of Civil ordinary Judges, to the which our Lieges may have recourse in all their actions & causes; And not the less the said Lords are informed, that certain wicked persons within the City of Brechin, ~~XXXXXXXXXXXX~~ malevolent

1. threatening.

members of the said Antichrist, contemptuously disobey the said ordinance, and cease not stil to hold the consistory, and execute his pestilent lawes within the said City in contempt of Vs and our authority; Our will is therefore and wee charge you straitly, and command, that incontinent these our letters seen, yee pass and in our name and authority, command and charge the Commissary and Scribe of Brechin, and all other members of the said Consistory, and others our Lieges whatsoever having interest, That none of them take in hand, to hold any consistory for administration of the said wicked lawes, or assist there to in any way from thence forrh (sic), Vnder the pain of death, As yee will answer to us thereupon. The which to do we commit to you conjunctly and severally our full powerGiven under our signet at Dundy the 14 day of December, and of our reignes the second and 18 years"¹.

But Protestant suspense was to be relieved by the hand of death, for Francis II had died more than a week before this proclamation was issued, though news of the event had not yet reached Scotland. Catholic dismay led to the despatch of Lesley, afterwards bishop of Ross, to urge Mary to return to Scotland, with the assurance that if she would land in the northern part of her kingdom she would receive such support from the nobles there that the Catholic faith would be re-established: and he was to warn Mary against the lord James, whose aim was alleged to be the acquisition of supreme power in the state. Lesley bore with him a letter signed by the archbishop of St. Andrews, the bishops of Aberdeen, Murray and Ross, and the earls of Huntly, Crawford, Athole, Sutherland and Caithness². Is it surprising that the Protestant border diocese of Angus and the Mearns had been entrusted to a layman experienced in the arts of war and trained in courtly ways? But,

1. Petrie, century XVI, pt. 2, p. 215.

2. Spottiswoode, I, 328-329.

if with the death of Francis II Elizabeth had^{apparently} no farther need to fear the machinations of the Guises, it did not follow that the relief of Protestant suspense in Scotland would be permanent. French troops might no longer be available to coerce Mary's inheritance, but Spanish infantry perhaps would take their place, for a project to marry the young widow to Don Carlos, son of Philip II, was no secret in the chancellaries of Europe, and the prospect of so brilliant a match ruined the chances of Arran as a suitor for the hand of his queen¹.

Amid all these anxieties, John Knox and five others having framed a constitution for the Reformed Church², their findings were being scrutinised by the nobility. When the first General Assembly of the Church of Scotland met in Edinburgh on 20 December, 1560³, the total attendance was forty-two, of whom only twelve were reckoned ministers, the remaining thirty being elders commissioned to represent the various congregations. In that latter capacity John Erskine attended for Montrose⁴, and, the need being felt for more helpers than had been available, the assembled representatives appointed forty-three additional readers and pastors, the laird of Dun being one of those ordained⁵ to preach and minister the Sacraments⁶. Erskine has generally been considered, both as superintendent and as moderator of the General Assembly, to have been a layman, but

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1. This project was entertained. See For. Cal. Eliz., 1560-1561, p. 486.
 2. Knox, II, 128.
 3. Row's History of the Kirk of Scotland, 13: Bk. Univ. Kirk, I, 3. Calderwood, II, 45, gives only six names as those of ministers.
 4. Bk. Univ. Kirk, I, 3.
 5. They were at least chosen by the Assembly, if not then actually ordained. Many, no doubt, would deny the validity of their ordination. The present writer is not greatly concerned about the arguments for or against, but would point out that certain Anglican clergy have admitted that men like Knox, ordained by dignitaries of the Roman Church, were in apostolic succession. It is certain that, so far as faith and piety went, they were in a much more direct apostolic succession than the vast majority of Scottish clergy before the Reformation.
 6. Bk. Univ. Kirk, I, 4.

it is plain that he was a regularly appointed minister of the Church from this time onward; and it is to be noted that his substantive appointment to the office of superintendent was subsequent to his nomination to the Christian ministry, so that it is scarcely correct to designate him at any time of his life a lay official of the Church, except that as a layman he held the office of elder.

But the paucity of ecclesiastical officers was no inducement to Knox and his fellow workers to draw up an incomplete scheme of church organisation and government. The First Book of Discipline¹ is a comprehensive recommendation dealing with the doctrine, Sacraments and officers of the Reformed Church, provision for its ministers, their widows, sons and daughters, education, both primary, secondary and university, the disposal of the rents and patrimony of the Church, ecclesiastical discipline, the election of lay officers, the organisation of public worship and the administration of the Sacraments, the maintenance of places of worship, and the treatment by the civil power of those who in contempt of the reformed faith persisted in preaching Roman Catholic doctrine.

Three of these subjects are of particular interest in the life of Erskine of Dun. In the first place, the authors state "we have thocht it a thing most expedient for this tyme" that ten or twelve specially qualified men should be selected for the purpose of planting and erecting churches, organising public worship, and appointing ministers. These Superintendents, with dioceses covering the whole of Scotland, were to be themselves preachers and were to exercise a peripatetic supervision till churches should be planted and provided with ministers or at least readers, and the duration of their stay in one place was not to exceed thirty days. Further, negligence in preaching or in visitation was to be followed by deposition from

1. Knox, II, 183-257.

office. It is noteworthy that the first superintendents were to be appointed by the civil Council, but after three years had passed the ministers, elders, deacons, magistrates and council of the principal town of the province or diocese were to nominate two or three of the most learned and godly ministers within the whole realm, from which number one was to be selected by public consent for the vacant office. Provision was made for the filling of the vacancy should this course be neglected. No one, however, was to be admitted to the office unless his learning, manners, prudence, and ability to govern had been approved by three or four superintendents, and after the Church was established for three years, two years' approved service in the ministry was to be a necessary qualification.

Knox and his coadjutors recommended that, wherever a church existed, there a schoolmaster should be appointed, and failing a schoolmaster the reader or the minister was to instruct the youth of the parish. In every notable town, and especially in those places where superintendents had their permanent residence, a High School was to be established where Logic, Rhetoric and languages were to be taught. Parents were to be compelled to bring up their children in learning and virtue, and the poor equally with the rich were to enjoy the benefits of education. If the inspection of these schools was necessarily amateurish, at all events it was to be regular, if not inspiring. Three or four years were to be devoted to reading, grammar(i.e.Latin grammar) and the Catechism: a further four years were to be given to Logic, Rhetoric and Greek, and the study of Arts, Law, Medicine or Divinity was to be continued till the student should reach the age of twenty-four. The three universities, St.Andrews, Glasgow and Aberdeen, were to be organised so that their students should receive a thorough training in Mathematics, Philosophy, natural and moral, the ancient languages, Divinity, Roman and Civil Law, and Medicine. The staffing and endowments of the universities, and the provision of bursaries or scholarships, were dealt with in

detail. for the small number of appointments, and many diffi-

The ministry and education were to be maintained from the patrimony of the Church, but the deserving poor also had a claim on that wealth. Sturdy beggars were to be compelled to work, but those unable to labour were to be sent to the place of their birth and there receive from the Church reasonable sustentation, for the Almighty did not design that the widow and the fatherless, the aged, impotent or lame, should be neglected. Needy folks, however, who had long been resident in one place were not to be obliged to depart to their birth-place. These provisions compare favourably with those of Elizabeth's Poor Law of forty years later, a measure rendered necessary in part by the very conditions which made Knox's recommendations inoperative in Scotland, namely the appropriation of church lands by those who valued them as private wealth and not as a means of benefitting their fellows.

It is pretty generally accepted at the present time that the office of Superintendent was designed by the framers of the First Book of Discipline to be a temporary one, but many have taken the view that this office was the Presbyterian equivalent of the episcopate, and was intended to be permanent. In point of fact, division of opinion has been so complete that many of the advocates of one or the other conclusion have ^{adopted} undoubtedly/it because they disliked or favoured episcopal church government. There is no question that superintendents were not to have the full powers of bishops or enjoy their tenure, and the supposition that their institution was a temporary measure is founded on the phrases "at this tyme" and "for this tyme" which Knox employs in discussing superintendents¹, and on the fact that only five superintendents were appointed, and their places, when vacant, were never filled. On the other hand, the poverty of the Church was a sufficient

1. Knox, II, 202.

argument for the small number of appointments, and many difficulties interposed to prevent or render unnecessary a continuance of the system, and those appointed continued to hold office while they lived. Again, of equal weight with the phrases already quoted from Knox is the assurance that at the time the Book Of Discipline was drawn up, the nomination, examination, and admission of superintendents could not be so strict "as afterward it must be"¹: even the words "at this tyme" and "for this tyme" may refer only to the urgency of the need of supervisory officers, not to a purpose of merely temporary control: and the provision that later appointments should be confined to those who had given two years' faithful service in the ministry affords evidence that the office of Superintendent was not designed to endure only for a year or two. In any case, there is nothing inherently 'episcopal' in the retention of officers with supervisory powers. Such officials have not been unknown to the Protestant churches of our sparsely populated dominions in the twentieth century; in England Non-conformists have felt the need for some controlling system²; while among many Scotsmen of strong Presbyterian views the suggested revival of the office of Superintendent has not elicited ~~any~~^{unanimous} protest in recent years.

An argument for the theory that superintendents were intended to be temporary dignitaries is supplied by the mutilated version of the Book of Discipline which Archbishop Spottiswoode incorporates in his History, or rather by the meagreness of his extracts from the Book. He doubtless felt that the Book of Discipline, with its democratic system of election and control, supplied little backing of episcopal church government. But against Spottiswoode's lack of scruple as an historian may be set the consideration that undiluted democracy was a

1. Knox, II, 205.

2. cf. the Separated Chairmen of the Wesleyan Methodist~~#~~ Connexion.

notion foreign to the political or ecclesiastical mind of Scotland in the sixteenth century, and there was nothing antagonistic to ^{Reformation} ~~Reformation~~ theory in a scheme of supervision, the instruments of which were popularly chosen and subject to the discipline of the Church.

In a difficulty of this sort, the only guide to original motive is deduction from subsequent events. In this case, financial and other difficulties, unforeseen or too lightly esteemed in 1560, rendered impossible the realisation of the proposals of the First Book of Discipline, and the omission of any reference to superintendents in the Second Book of Discipline is no argument against an intention on the part of Knox and his contemporaries to provide for permanent supervision of the ministry of the Reformed Church, even after the duty of "planting kirkis" should have been completed. That such control would have been advisable is evident from the multifarious duties arising out of education and poor-relief imposed upon that ministry. Scotland had to be trained to the possibilities of democratic control, and it is safe to say that ministerial neglect of duty would not invariably have produced popular complaint and censure. In conclusion, the leaders of the Church might anticipate the need for some considerable time to come of exercising supervision over the more recent clerical converts from the Roman Church.

The matter of the remuneration of superintendents, ministers, readers with licence to exhort, and simple readers, was a thorny question, for the sordid cupidity of the nobles stood in the way of the necessary appropriation of the patrimony of the old Church, and it was mainly the financial recommendations of the Book of Discipline which excited the criticism of those whose approval was desired for it. The "practical" man lacks vision, and the Book of Discipline was regarded as a compilation of "devote imaginationis"¹, with the result that the

1. Knox, II, 128.

Convention of January, 1560-61, witnessed "greit disputatioun"¹, and collective approval of the measure was not secured. Even those who in the Tolbooth of Edinburgh on 27 January subscribed and approved the suggested scheme of church government did so only on the understanding that ecclesiastics of the Roman, who had embraced the doctrines of the Reformed, Church were to enjoy the revenues of their benefices while they lived, but sustaining the Protestant ministry to the extent specified in the Book of Discipline².

The archbishop of St. Andrews, apparently in a friendly spirit, had warned Knox that it would be more difficult to alter ecclesiastical government than religious doctrine, and that he would do well to introduce any alteration gradually³, but it is difficult to see how even a gradual substitution of ~~Baconian~~ ^{representative} for episcopal government could have prevented the evil which at once reared its head. The clerics who were still sympathetic to the old order began to lease to their friends and kinsmen the temporalities of the Church which were still in their hands, and the lay beneficiaries were naturally reluctant to forego the resultant economic benefit which these transactions conferred on themselves⁴.

Yet, so far as the ministry was concerned, the demands of the Book of Discipline were not exorbitant. The original requisition seems to have been a thousand merks a year for each superintendent, with a pension of half that sum to their widows and children, four hundred merks for every minister, and a hundred and eighty merks for every reader⁵. It is not easy to decide what was the real value of money in those days, but these sums might represent today (1923) salaries of approximately £1100, £450 and £200 respectively. But it must not be forgotten that the clergy actually discharging parochial duties before

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1. Diur. of Occ., 63.
 2. Knox, II, 129-130.
 3. Spottiswoode, I, 371.
 4. Ibid., 373.
 5. Diur. of Occ., 63.

the Reformation had been miserably paid, which would make the suggested salaries seem ruinously generous to many, and that the richer ecclesiastical appointments had been to a great extent a preserve of the crown and the nobility. To the nobles, then, the suggestion might easily appear a "devote imagination", and the proposal actually approved by the subscribers of the Book of Discipline was to pay to each superintendent five hundred merks (say £550) and victual to the present (1923) value of between £350 and £400, but this remuneration was "to be eikkit and pared at the discretioun of the Prince and Counsall of the Realme"¹: each minister was to receive a minimum quantity of victual, adjustable yearly, of the present value of about £90, together with a payment in money which would vary with the wealth and liberality of his congregation²: each exhorting reader was to be paid not less than a hundred merks, say £110 and upward per annum³: and each reader was to pass rich on forty merks⁴. We shall see how far even these meagre doles were forthcoming.

But if the demands were reasonable so far as they touched ministerial stipends, it certainly was not creditable to the economic sense of the reformers that they expected to take over the whole temporal possessions of the Catholic establishment, amounting, it has been reckoned, to half the national wealth. True, they pleaded that the collection of the spirituality might be marked by less harsh exaction⁵, but the need of maintaining schools and universities⁶, and the intention of relieving poverty, cannot have justified the extortionate and ridiculous demand that all religious endowments should be handed over to the Reformed Church, and that this proposal was subscribed

1. Knox, II, 198.

2. Ibid..

3. Ibid., 200.

4. Ibid., 199.

5. Knox, II, 221-222.

6. The expenses of the latter were to amount to under 14,500 merks: Knox, II, 219.

by Protestant lords and other laymen made it none the sounder¹. And it is perhaps the more surprising in that the Book of Discipline provides for a measure of voluntary support of the Church whose government and maintenance it sought to detail. If the idea underlying the suggested appropriation was that exaggerated demands would produce adequate payments, it was entertained in vain.

Following upon their approval of the First Book of Discipline, the Council apparently proceeded to the appointment of superintendents, but commission was given only to the five originally nominated in place of the ten or twelve contemplated by Knox and his friends, and in 1561, although not yet consecrated to the office, John Erskine of Dun apparently discharged the duties of it². Having previously presided at the installation of John Spottiswoode, Knox journeyed from Edinburgh in January, 1561-62, to induct his friend Erskine as Superintendent of Angus and Mearns³, having received leave of absence from his charge in Edinburgh from the provost, baillies and council of the town, who directed the Dean of Guild to accompany him and pay the charges incurred. The Dean was instructed "to haist the said minister hame that the kirk heir be nocht desolait", but perhaps the city fathers were not indifferent to the restriction of their minister's expenses⁴.

Meantime the return of Mary, Queen of Scots, had been awaited with conflicting feelings by the various factions in the country. The lord James Stewart had urged upon her the wisdom of regarding the recent changes as un fait accompli. Prudence and the course of events were to render her willing to inaugurate no sudden reactionary policy, but the Catholic party betrayed their elation in the capital in the month of May⁵, when

1. Knox, II, 224-225.

2. cf. St. Andrews Kirk Session Register, I, 113.

3. McCrie's Knox, edn. 1860, p. 206.

4. Extracts from the Records of the Burgh of Edinburgh, 1557-1571, p. 129.

5. Knox, II, 161.

a Convention and a General Assembly were in session at the same time. The Protestants showed their concern by a supplication to the Council in which they refer to the Catholic intention of re-establishing the old worship, and that supplication was accompanied by seven requests touching the suppression of Catholic observances and the provision and maintenance of ecclesiastical officers¹.

The laird was one of many summoned to Edinburgh "to the Quenis grace enteres furtht of France"², and the feelings of a dignitary of the Protestant church who had served her father and her mother, and had visited France for the celebration of her marriage, must have been most conflicting³. The history of his dealings with Mary Stewart to some extent follows the lines of his experiences with Mary of Lorraine, for in both periods direct opposition succeeded relations in the earlier case of a friendly, in the later at least of a peaceful, nature. But soon after Mary's landing an incident occurred of the most disturbing kind for the Superintendent. A riot broke out when Holyrood Chapel was being prepared for the queen's use with a view to mass. It was quickly quelled by the lord James, but the earl of Huntly improved the occasion by boasting that, if Mary pleased to make use of him, he would reduce the whole of the north to profess the Roman faith⁴, no comforting news to the chief ecclesiastical official of Angus and the Mearns. But the queen was content to walk with caution, and a proclamation was issued on 25 August instructing the lieges to "contene thame selffis in quietnes, keip peax and civile societie, in the estait of religioun quhill the thre estaitis of this realme be assemblit"⁵. No change was meantime

1. Knox, II, 161-163.

2. L.H.T., XI, 61.

3. Erskine may not have been present at Mary's disembarkation, which took place on 20 August, eleven days before she had been expected.

4. Spottiswoode, II, 8.

5. L.H.T., XI, 74. The whole proclamation is given in Knox, II, 272-273.

to be made in the religious situation, but the queen's Catholic retinue was to be unmolested. The last provision excited remonstrance, and in September the provost, baillies and council of Edinburgh called upon all monks, friars, priests "and all vtheris papistis and prophane personis" to leave Edinburgh within twenty-four hours, "at the quhilk proclamatioun the quenis grace was verry commouit", and the provost and baillies were removed from office in consequence a few days later¹.

From the pulpit came denunciations of Mary's encouragement of Catholic practices, but opposition was restrained by lord James Stewart, whose relation to the queen he seems to have been inclined to emphasise², and by others of the nobility whose zeal for religion began to be tempered by the flatteries of the court and a desire for the queen's favour³. As a minister and superintendent Erskine might be expected to join in clerical expostulation, as a generous-hearted baron he might be disposed to non-interference, and in view of Mary's later commendation of the laird of Dun it is probable that the man triumphed over the minister, though he was never one of those who deserted the ranks of the faithful⁴.

In the meanwhile the court was much exercised over the means of meeting the queen's expenses, while the reformed ministers were in equal need of financial provision, since the recommendations of the First Book of Discipline had not received statutory sanction, and only private benevolence stood between themselves and destitution. Church rents offered a ready temptation, and at a Convention in Edinburgh it was enacted on 25 December, 1561, that a return should be made of the annual income of church property throughout the country, in order that one third might be assigned to the support of the queen's establishment and of the reformed ministers, the remaining two

1. Diur. of Occ., 69.

2. cf. Knox, II, 266.

3. Spottiswoode, II, 14.

4. cf. Knox, II, 295.

thirds being reserved to the possessors of the contributing benefices, who in turn were to be relieved of the obligation, which had never been effectively imposed, of maintaining the ~~Reformed~~ ^{Reformed} clergy and readers¹. But the prelates and benefited clergy of the old Church undervalued their rents², and Knox states that an unmarried minister had to be content with a hundred merks, while few got more than three hundred except superintendents³. Out of 33933 lib.2s.4d.⁴ paid to the Collector General of the Thirds of benefices in money⁵, only 18432 lib.13s.2d. was handed over for the payment of ministers' stipends⁶. The officials of the ~~Protestant~~ ^{Protestant} Church had been enjoined to prepare a return showing what they considered a sufficient and reasonable sum for the support of the ministry⁷. What their demands were is not known, but it had evidently been conjectured that seventy-five per cent. of the Third would be required for their needs⁸. The sum actually allotted fell short of that proportion by over 7000 lib., but it is interesting to note that the amounts paid out were not proportionate to the receipts, district by district. For example, from Forfar and Kincardine was uplifted the sum of 3257 lib.5s.6d.⁹, and the ministers exhorters and readers (there is no specific mention of the Superintendent of Angus and Mearns) of these sheriffdoms were paid a total of 3144 lib.6s.8d.¹⁰, over ninety-six per cent. of the local contributions, as against a total payment to the whole ministry of fifty-four per cent. of the total cash receipts. In addition to the payments of money both to and by the Collector General, quantities of grain and victual

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1. Knox, II, 299-309: Keith, III, Appendix, 360-368: R.P.C., I, 196-197, 201-203, 204-206.
 2. Spottiswoode, II, 15.
 3. Knox, II, 311.
 4. Fractions of pence are neglected in any figures quoted from the Register of the Thirds of Benefices.
 5. Reg. Thirds, 1561, f. 44b.
 6. Ibid., f. 99a.
 7. Knox, II, 302: Keith, III, Appendix, 363: R.P.C., I, 197.
 8. cf. Knox, II, 301.
 9. Reg. Thirds, 1561, f. 19a.
 10. Ibid., f. 98b.

were credited to the Collector, and from these provision was made for payment in kind to the ministry, but these allowances were often difficult to collect by reason of their remote situation or the guile of the holders of benefices¹, and in any case the clergy had apparently no redress in law if their stipends were not paid². The fact that the auditing of the Collector General's accounts was often postponed for some years after the period to which they refer renders it impossible to determine the extent to which payment of stipends was in arrears, but complaints of the General Assembly on the point were to be numerous.

In the sixteenth century the supreme court of the Church met twice yearly. The proceedings of the earliest meetings are not fully related in extant records, but at the first³, as has been noted, John Erskine was appointed a preacher, at the second⁴ the suppression of Catholic forms of worship and the sustentation of the ministry were made subjects of appeal, the third, held at Edinburgh in December, 1561, asserted the court's right to meet without royal leave⁵. The fourth meeting of the Assembly took place in June-July, 1562, John Erskine attending as Superintendent of Angus and the Mearns, and it was laid down that all officials of the Church should be equally liable to censure and that all alike should be on the watch to note offences within their own dioceses and seek appropriate remedies, while the disciplinary powers of superintendents were implied in the finding that ministers disobedient to them in anything belonging to edification were to be subject to correction⁶. At the sixth session of this Assembly, on Saturday, 4 July, it was decided that, in view of a duty laid upon Erskine in the

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1. The Register of the Thirds is full of instances of payments withheld.
 2. Connell's Treatise on the Law of Scotland respecting Tithes, 2 edn., Edinburgh, 1830, 2 vols.: I, 93.
 3. December, 1560.
 4. May, 1561.
 5. Cald., II, 159-160.
 6. Bk. Univ. Kirk, I, 14.

previous December to visit the sheriffdoms of Aberdeen and Banff, the Privy Council should be asked to afford him assistance, and Christopher Goodman and John Row were selected to help him in his labours¹.

On Christmas day, 1562, when the fifth General Assembly met, certain duties were specified as appertaining to superintendents. Apparently ministers and perhaps elders had presumed to decide actions of divorce, but for the future only superintendents and their direct delegates were to hear such causes. They were further given the power to translate ministers from one charge to another, if the proposed change were approved by a majority of their synodal assemblies, which were to meet yearly in April and October on the summons of their superintendents, their membership consisting of each minister of the diocese, accompanied by an elder or deacon². Erskine himself was charged with having admitted Papists and vicious persons to the office of reader, and with having omitted the trial and examination required in the Book of Discipline when instituting young men to the ministry and to the office of exhorter, while it was alleged that "gentlemen" of vicious life were admitted to the eldership. It was further stated that the ministers of his diocese were careless in visitation, instruction of the young, and reverent conduct of Divine service. The accusation was more serious than any made against the Superintendent of Lothian or the Superintendent of Fife. But neither of these was left uncriticised, for the former was apparently not too industrious in preaching, while the latter added to that sin of omission the fault of being over-worldly. Of the superintendents, Erskine was complained against perhaps less than any in the early years of the Reformed Church, and the fact that he rendered up the commission which he had received

1. Bk. Univ. Kirk, I, 19.

2. Ibid., 29.

from the Assembly to visit the north and establish ministers, elders and deacons there implies that, during the period in respect of which the charges were made, he had been necessarily absent a good deal from his diocese¹. That he was not altogether indifferent to his duty, however, emerges from the sentence pronounced against the schoolmaster of Arbroath, who was denounced by Erskine as unfit for his position².

It was not to be expected that the financial straits of the ministry would pass unnoticed. The superintendents were instructed to present the names of ministers, exhorters and readers to the Lords appointed for the assignation of stipends, specifying their date of entry, in order that quarterly payments might be made to them³. Complaint was made that manse were often not available for the ministers, being detained by the Catholic incumbents, set in feu to gentlemen, or otherwise alienated from their proper use: lists of such manse were to be prepared by the superintendents that they might be assigned to the queen's Third and thereafter allotted to the ministers whose they were by right⁴. Lastly, the Superintendent of Angus and four others were commissioned to reason with the Privy Council regarding the nature of the cases which should come before the judgment of the Church, and to obtain the prohibition of Sunday markets. They were also ordered to make oral and written supplication to the queen for the support of the poor⁵.

Bitter complaints were made at this Assembly regarding ministerial poverty, but it is often argued that the numbers of the beneficed and inferior clergy in the Reformed Church were so small at this period that no reasonable cause of complaint can have in fact existed. Let us test this impression by re-

1. Bk. Univ Kirk, I, 25-26.

2. Knox, II, 363.

3. Bk. Univ. Kirk, I, 26.

4. Ibid., 30.

5. Cald., II, 208.

ference to the actual figures for 1562¹. The total cash credits to the Collector General for that year were 49956 lib.17s.11d.², the increase over the receipts of the previous year being due to more careful collection and to the payment of arrears from 1561. The total cash outgoings in respect of the stipends of ministers, exhorters and readers were 23920¹/₂ lib.3s.2d.³, being forty-eight per cent. of the available money, whereas seventy-five per cent. of the money of the Third would have amounted to nearly 14000 lib. more. The following table⁴ is instructive.

District.	The Money Third.	Payments to Stipends.
Murray.	2352 lib.19s.5d.	1241 lib.6s.8d.
Aberdeen and Banff.	3154 lib. 4s.7d.	2551 lib.6s.8d.
Forfar and Kincardine.	3517 lib.7s.9d.	3936 lib.6s.8d.
Fife.	4778 lib.18s.7d.	2698 lib.13s.4d.
Perth.	4079 lib.7s.6d.	2621 lib.6s.8d.
Kyle, Carrick and Cunningham.	1171 lib.0s.3d.	1493 lib.17s.9d.
Stirling, Lanark, Stirling, Lanark, Renfrew, Dumbarton, Wigtown, Dumfries, Kirkcudbright and Annandale.	6719 lib.4s.10d.	3174 lib.2s.5d.
Roxburgh, Berwick, Selkirk and Peebles.	3397 lib.9s.0d.	848 lib.13s.4d.
Edinburgh, Linlithgow and Haddington.	3823 lib.3s.10d.	3183 lib.15s.0d.

In the above list the only districts in which the receipts from the Collector exceed the payments to him are Forfar and Kincardine (the district over which Erskine presided as superintendent), an area notable for the early strength of Protestant

1. Some previous figures have been given in merks. To translate pounds Scots into merks add 50% to the number of pounds.

2. Reg.Thirds, 1562, f.44b.

3. Ibid., f.103b.

4. The figures in the second column are extracted from the Reg.Thirds, 1562, from f.10b to f.44b. Those in the third column are on f.103b.

feeling, and Kyle Carrick and Cunningham, distinguished for the same reason. The districts which show no marked disparity between the two sides of the account are the Lothians and perhaps Aberdeen and Banff, but at the other end of the scale come Roxburgh, Berwick, Selkirk and Peebles, with under twenty-five per cent. of their Third returned to them.

It must be remembered that clerical requisitions had been submitted, though unfortunately these do not seem to have been preserved, but it was precisely those districts in which Protestant worship was most general relatively to population which received the greatest assistance. The arrangement was reasonable, if the allowances were equitable, but of this we can say nothing. We know, however, that the clergy were dissatisfied, and that their displeasure was not the mere result of acquisitive intemperance may be assumed from Knox's obvious contempt for his former ally, Sir John Wishart of Pittarrow, the Collector, which had been aroused by the complaints of the ministry that they were unable to live on the stipends appointed, or even to get payment of the sum assigned to them¹.

It has been previously mentioned that payments in kind were made to the clergy out of the queen's Third. For the year 1562 Erskine of Dun received five chalders of wheat, while Winram and Willock, superintendents of Fife and the West respectively, had to be content with two², which was also the allowance of Spottiswoode, superintendent of Lothian, and of John Knox, minister of Edinburgh³. In the distribution of bere⁴, Knox received six chalders, Winram and Willock five each, while Erskine got ten⁵. But this preferential treatment did not characterise the allocation of meal, for Erskine got none, while

1. Knox, II, 311.

2. Reg. Thirds, 1562, f. 70a.

3. Ibid., f. 70b.

4. A grain of the barley type.

5. Reg. Thirds, 1562, f. 75a. The value of a boll of bere was then sixteen shillings (Ibid., f. 78b.), so that ten chalders were worth 128 lib. Scots, or nearly two hundred merks.

Winram and Willock got two and three chalders respectively¹, and three superintendents were paid three chalders of oats each², though Erskine had no allowance. On the whole, however, the Superintendent of Angus seems to have fared pretty well, both in regard to his personal remuneration³ and the grant from the Third to his diocese. How far his friendship with Wishart of Pittarrow and other notables contributed to this result is a matter of pure guess-work, but one is inclined to think that the Church would have gained, had it displayed a little more worldly wisdom in its attitude toward the laity. Lacking coercive authority, but with a haughty alacrity in rebuke, it offended where Erskine would have conciliated, and made little effort to enlist in its service those whose social standing and influence at court might well have served to procure for it a greater degree of esteem. The times were selfish, and lay selfishness was a frequent subject of clerical denunciation. But a little tact might have transmuted that interest to less illiberal uses, had the Church been more willing to recognise that participation in the things of this world is determined by mundane considerations.

1. Reg. Thirlds, 1562, f. 82a.

2. Ibid., f. 88a.

3. His salary in money was of course included in the sum allotted for payment of stipends in Forfar and Kincardine.

ope and vtheris kirkmen." The trial began on 19 May, 1603, and the accused were committed to ward five days later, but the whole proceeding was a device to secure that the Protestants, believing that the royal hand was now set to the plough of reform, would agree to leave religious change to the queen's goodwill, particularly as it was promised in Parliament that

1. Blair, op. cit., 75.

2. Ibid. and Knox, II, 572.

3. Knox, II, 380 and note.

CHAPTER VII. 1563-1566.

Tempers had been wearing thin in Scotland, but it was not Mary's intention to precipitate a Protestant-Catholic conflict. She had on her side her half-brother, now earl of Moray, the astute Maitland of Lethington, and many others formerly identified with Protestant agitation. If the rank and file of the ~~Protestants~~ ^{Protestants} could be kept from overt opposition to the throne, matters might fall out to the satisfaction of Catholic Europe. Mary was a widow, and beautiful. A second marriage might yet enable her to coerce those whom she had still to cajole. Meanwhile the summoning of Parliament could no longer be delayed, and that the lesser barons should not dominate the proceedings of 1563 as they had done those of 1560, steps were taken to diminish their discontent and dull their fears by setting the law in motion against the archbishop of St. Andrews and others who, encouraged by their freedom from prosecution, had begun once more to celebrate mass openly in Scotland, for the Protestants were "bent evin to the dead aganis the said archbishope and vtheris kirkmen."¹ The trial began on 19 May, 1563,² and the accused were committed to ward five days later,³ but the whole proceeding was a device to secure that the Protestants, believing that the royal hand was now set to the plough of reform, would agree to leave religious change to the queen's goodwill, particularly as it was promised in Parliament that

1. Diur. of Occ., 75.

2. Ibid. and Knox, II, 379.

3. Knox, II, 380 and note.

the establishing of the reformed religion should precede any parliamentary sanction of the queen's marriage when that matter should arise. The choler engendered among the ~~advisors~~^{ministry} by this procrastinating policy was such that a bitter quarrel ensued between the earl of Moray and John Knox, the resultant weakening of Protestant influence at court lending point to the remarks which closed the last chapter with reference to the tactless insistence of the Protestants on demands for a democratic church which had doubtful democratic support.

The parliament of 1563, however, did not exclude from its deliberations everything which Protestant Scotland had been waiting for since 1560, for an Act of Oblivion in respect of events from 6 March, 1558, to 1 September, 1561, was passed and a committee was appointed, with Erskine of Dun as one of its members, to consider in particular cases the applicability of that law¹, and Erskine was also associated with the earl of Moray, Maitland of Lethington, John Winram and others on a commission to ^{inspect} (examine into) the income of the colleges of St. Andrews and places of instruction elsewhere and report if financial improvements were possible so that the education provided, of which complaint had been made², might be improved³.

Shortly after Parliament dispersed early in June, 1563, Knox had his most famous interview with the queen⁴. He was accompanied to Holyrood by several friends, but of the number only Erskine of Dun was admitted to the actual conference. The mutual incompatibility of Mary and Knox was plainly shown, though the reformer's attitude of opposition to the queen's possible marriage was perfectly intelligible. Charles, archduke of Austria, had been suggested by the queen's uncle, the cardinal of Lorraine, as a suitable husband for her, but Mary

1. A.P.S.II, 535-536.

2. Those responsible for education under the old régime were in many places still in office.

3. A.P.S., II, 544.

4. Knox, II, 386-389.

was still in love with the idea of marrying Don Carlos, son of Philip II, and, probably with a view to extorting from Elizabeth that recognition of Mary as her successor which should pave the way for the eventual union of the English and Scottish crowns¹, she was encouraged by Moray and Maitland to dwell on the idea of the Spanish match. But to Knox, however admirable the end, the means were detestable, and he defended his outspoken condemnation of them by informing the queen that it was his duty as a Christian minister to preach repentance and, that his preaching might be of the more effect, to point out to men wherein they erred, adding that her nobility were "so addicted to [her] affectionis, that neather God his word, nor yitt thair Commounwealth, [were] rychtlie regarded", wherefore it became him so to speak that they might know their duty.

The assurance did nothing to mitigate Mary's displeasure, and she wept with vexation. Erskine "of meak and gentill spreit.....gave unto hir many pleasing wordis of hir beautie, of hir excellence, and how that all the Princes of Europe wold be glaid to seak hir favouris", but the Superintendent's courtly efforts to stem the tide of tears only made them flow the faster, for as his flattery was intended to foster self-esteem, so it may have seemed to Mary to aggravate the heinousness of Knox's blunt honesty.

The unbending cleric being ordered from the royal presence, Erskine remained closeted with the queen, being joined by her half-brother, lord John Stewart², and, apparently by the arguments of these two, Mary was dissuaded from her intention to have the opinion of the Lords of the Articles whether Knox's freedom of speech were not punishable. But if her opinion of Erskine rose as a result of the encounter, her enmity toward Knox was unabated.

1. cf. Knox, VI, 539-540.

2. He had by 1560 been identified with the Reformation. cf. Knox, II, 88 and note.

Erskine's "meak and gentill spreit" found its natural complement in the uncompromising nature of his friend. That these two were bound together by ties of long and strong affection may be deduced from the fact that Knox never, throughout his History, penned a harsh word about Erskine of Dun. He could break with the accommodating (and far-seeing) Moray, and by temperament must have been disposed to impatience with men willing to take the middle way, but there seems to have been no breach at any time between the laird of Dun and the minister of Edinburgh, and the explanation may lie in the sincerity and depth of Erskine's religious feeling, a characteristic which Knox, for all his faults, was the last man to undervalue.

The harvest of 1562 had been a poor one, and such dearth was experienced in Scotland in the winter of 1562-1563 that articles of food rose in price to two, three and four times their normal value¹. This state of affairs must have inflicted great hardship on the ~~Protestant ministers~~ ^{Protestant ministers}, but at the sixth General Assembly, which met at Perth on 25 June, 1563, the petitions which dealt with the financial affairs of the ministry were reasonably and moderately stated. The union of several closely adjacent parishes was advocated because many parishes were small and ministers were not numerous, and the Comptroller, or Collector General of the Thirds, promised to collect and distribute to the ministers as much of the queen's Third as would sufficiently sustain the ministry. But, inasmuch as he undertook to do this "as weill for times bypast as to come"², it can be gathered that clerical discontent was completely justified. It was further promised that manses should be rendered up to the ministers, or suitable houses built for their occupation, under pain of horning³.

But the proceedings of this Assembly are specially note-

1. Knox, II, 369-370.

2. Cald., II, 227.

3. Ibid..

worthy in respect of a statement by Calderwood in reference to the employment of clerical commissioners to supplement the efforts of the superintendents in the planting of ministers, exhorters, readers and schoolmasters. Six such commissions were granted and Calderwood adds:- "All these commissions were to endure onlie for a yeere. The General Assemblies aimed at the planting of moe superintendents, and even in this same Assemblie, they aimed at a superintendentship in Tiviotdaill, Nithisdail, Annandail, and Selkirk. Yitt could they never atteane to moe than five. Therefore they gave commissiouns to ministers to plant kirks, preache, visite kirks, schooles, and colledges; to suspend, deprive, transplant ministers; to confer vacant benefices; to procure the eradication of all monuments of idolatrie in the provinces, or bounds assigned to them. These were called the commissioners for planting kirks, commissioners of countreis or provinces, commissioners for visitation. Their power was equall to the power of superintendents, and had the like assistance of reformed kirks, of learned men nixt adjacent, of meetings of ministers for the exercise of prophecie¹, of synods, of other associats whom the General Assemblie now and then appointed to joyne with them. This was the difference: commissioners injoyed their office onlie for a yeare commonlie. When the commission expired, the Assemblie either renued it, or placed another: so that I may justlie call the commissioners of provinces, temporarie superintendents; and were in verie deed but servants to the General Assemblie, having a delegate power from them, accessorie to the particular charge which they had over their owne particular flockes"².

We have here not only a succinct statement of the powers and relative standing of superintendents and commissioners,

1. i.e. meetings for prayer and exposition of the Scriptures.

2. Cald., II, 224-225.

but an argument in favour of the view that the former were not intended to be merely temporary officers of the Reformed Church. No one can accuse Calderwood of partiality for episcopal government, and his testimony carries the more weight.

But other powers were on this occasion entrusted to the superintendents. If an appeal were made from a congregational judgment to the synodal convention, and the appellant failed to show cause for his action, the superintendent might mulct him in a penalty to go to the poor of the parish where the case was first tried¹. In addition, the superintendents were appointed censors of devotional or doctrinal writings, which were not to be published without their sanction, and in cases of difficulty they were empowered to consult men of learning or remit the matter to the Assembly². Erskine was directly concerned with two other transactions of this Assembly: Dundee and Perth were evidently engaged in a dispute, perhaps not unconnected with the fact that the latter place had been favoured by the presence of the Assembly, and Erskine and Winram were selected, no doubt for their powers as peacemakers, to draw the towns to agreement³; and Erskine further petitioned the Assembly to send his friend John Knox to preach for a season in the north "because the preaching of the word was precious in these places"⁴.

So little is known of John Erskine's venerable uncle, Robert, the dean of Aberdeen, that we dare not assume a

1. Bk.Univ.Kirk,I,33.

2. Ibid.,35.

3. Ibid.,35.

4. Ibid.,37. Further recommendations touching the powers and duties of superintendents were that they were to ascertain what churches required repair or re-building, and were to take steps to have the work carried out, appealing to the Privy Council if necessary: they were to attend to the filling or 'supply' of vacant charges (Bk.Univ.Kirk,34): they were enjoined to warn shires, towns and parish churches to send representatives to assemblies, notifying them of the time and place of meeting (Ibid.,36): and a superintendent not in his place on the opening day of Assembly was to be fined forty shillings, the same to go to the poor.

philosophical tolerance on his part from the fact that in this year he appointed as his executors John and Robert, the first and second sons of the laird, with their father as oversman¹, but at all events the Superintendent had not made an enemy of his aged relative. John Erskine, younger, however, died less than two months after the executors raised the action referred to in the Register of Acts and Decrees², so that his father probably had to share the duties of executor with his son Robert. About the same time, or earlier, one of the daughters of the Superintendent's second marriage, Margaret Erskine, married Patrick, eldest son of Thomas Maule of Panmure³. The wedding took place in the house of the youthful⁴ bridegroom's grandmother, and it is probable that the bride's father was the officiating minister.

Meantime the patience of the ministers was rapidly slipping away, for their stipends were not being paid as they had been promised they would be. At the Assembly of 25 December, 1563⁵, the superintendents were instructed to present to the Privy Council petitions that stipends should be paid more promptly and should be allocated from the thirds collected in the district where the recipient served. A grievance under which the Church laboured was that many incumbents of the old order were excused the payment of the third of their rents by the queen⁶, which meant the subsidy of the Catholic faith at the expense of the reformed ministry. Several lords of the Privy Council agreed as individuals that the demands were just

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1. Acts and Decrees, XXVII, f. 370a. The testament is referred to in this entry, but the bequests are not given: its date was 13 February, 1562-63.
 2. The action was raised to facilitate the collection of the debts of the dean, and the decision was given on 31 July, 1563, by which date the testator was dead. John Erskine younger died on 7 September, 1563: (Sp. Misc., IV, lxxvii).
 3. Macfarlane's Genealogical Collections, I, 152-153.
 4. He was fourteen years of age.
 5. This was the first Assembly presided over by a Moderator "for avoiding confusion", John Willock being the first to fill that office: (Cald., II, 241-242).
 6. Cald., II, 246.

and it was left to the superintendents to secure the assent of those who were not available at the moment¹, while Lethington assured the Assembly that the queen would take steps to content the ministry in respect of their claims, both past and future².

In the light of their complaints, it is interesting to examine the payments in what was probably a favoured diocese, that of Angus and the Mearns. For the year 1563, the sub-collector of the Thirds for Forfar and Kincardine made the following disbursements. In Angus nineteen ministers received money-stipends ranging from 26 lib.13s.4d. to 266 lib.13s.4d., the latter sum being paid to John Hepburn of Brechin alone. No other minister got more than 133 lib.6s.8d., that being the remuneration of six of them: a like number received 100 lib., two got 80 lib., two 40 lib., one 33 lib.6s.8d., while another received only 26 lib.13s.4d.³. The smaller payments were doubtless in respect of periods shorter than a year, for most of them corresponded with the yearly rate appearing in the entry. Twelve exhorters were paid from 15 lib.6s.8d. to (in one case only) 100 lib.⁴, the average being 37 lib.2s.2d., and twenty-nine readers were allotted sums ranging from 13 lib.6s.8d. to 40 lib.⁵, with an average of 18 lib.5s.6d. In the Mearns, five ministers had stipends running from 100 lib. to a third of that sum⁶, their average being 77 lib.6s.8d., and seventeen readers and exhorters were paid from 13 lib.6s.8d. to 50 lib.⁷. But the only recipient of 50 lib. was James Erskine⁸, exhorter at Logy-

1. Cald., II, 246-247.

2. Knox, II, 417-418.

3. Compt of the Sub-Collectour of the Thirdis of Benefices (Forfar and Kincardine) 1563-1568: Register House, Edinburgh: ff. 15b, 16a, 16b.

4. Ibid., f. 16b.

5. Ibid., ff. 17a, 17b, 18a.

6. Ibid., f. 18a.

7. Ibid., ff. 18a, 18b, 19a.

8. This James Erskine was probably the same who in 1570 became minister of Dun. The learned compiler of the *Fasti Ecclesiae Scoticae* assumed that that minister was the son of the Superintendent, (Op. cit., vol. III, pt. ii, p. 822-edn. 1871) but the present writer is able to show in Chapter VIII that the James Erskine appointed to Dun in 1570 cannot have been the laird's son. If the exhorter at Logymontrose was indeed John Erskine's son, as is possible, then he was a married man, and was not dependent on his clerical income, for he had the

Mains of Pitbeadlie of his father in 1562. (R.M.S., 1546-1580, no. 1414: Reg. Sec. Sig., XXXI, f. 50b.), while in April, 1565, he

montrose, and the average in this group was 19 lib., or, if James Erskine's stipend be disregarded, 17 lib. 1s. 8d..

The Superintendent's receipts from the sub-collector were, in money, 333 lib. 6s. 8d.¹, and in grain, five chalders of wheat² and ten of bere³, the total value of his stipend at the normal prices then locally current being 683 lib. 6s. 8d., or 980 merks. The expenses of a peripatetic superintendent were naturally higher than those of a resident minister or reader, but one is struck by the disparity of reward which these figures show. It must be remembered, however, that Erskine had spent money freely in the Protestant cause, and he may have felt called upon to make payments to needy brethren which find no place in official records.

The necessities of the situation, in any event, were such as to compel the ecclesiastical authorities to take counsel, and the revision of the Book of Discipline was entrusted to a committee of which George Buchanan was a member⁴. This move, however, was a compromise only with those who demanded a moderation of the temporal demands of the Church. The revival of Catholic practice could permit no slackening of Protestant effort, and that there was no sympathy in the Assembly of December, 1563, for Laodicean doctrine, is evident from one of the charges laid against a certain Robert Ramsay, who, having assumed, without the authority of the superintendent, the office of minister in Angus, was suspended from his ministry till further trial should be taken. The interesting count in the indictment is that he affirmed that "there was a mid way betwixt Poprie and our religioun"⁵; but he found the belief as suspect in Scotland as Michel de l'Hôpital found it in France.

is said to have had the gift of "the Archdeanerie of Aberdene, with the kirk of Rane, and mansioun and ludgeing in Auld Aberdene for all the dayis of his lyf" (Fasti, loc. cit.).

1. Compt of the Sub-Collectour (Forfar and Kincardine), 1563-1568, f. 19a.
2. Ibid., f. 5b.
3. Ibid., f. 7b.
4. Cald., II, 247.
5. Ibid..

That John Erskine laboured industriously in the interests of the Church at this time emerges from an accusation of neglect of duty tabled against him at this Assembly, for the complainers, after detailing the particulars of his negligence in his own diocese, obligingly supply the reason for it by adding that "being burthenned with the visitation of the north, he might not attend upon the charge allotted to him"¹. Criticism, it is to be feared, came easy to the members of Assembly, but it might have been evident to them that the interests of the Church as a whole were not always to be served best by merely local assiduity in its business. The frequency with which the superintendents asked to be relieved of their office shows how exacting were the demands made upon them, but that their efforts were valued is proved by the repeated refusal of the Church to accede to these requests.

The year 1564 showed clearly how complete was the separation which Stewart craft and ~~ministerial~~ ^{ministerial} hatred of compromise had effected in the ranks of the Protestants. The year opened with a series of royal banquets, alternating with festivities provided by the courtiers, which encroached seriously upon the Assumed Third and made the ministers increasingly hopeless of adequate support². Ministerial protests evoked angry remonstrance, and the courtiers, as their irritation under rebuke warmed them, found their zeal for the reformed faith grow cool.³ So thorough was the alienation that when the Assembly met on Sunday, 25 June, its opening session was marked by the absence of the Protestant lords whose attendance at court had dulled the edge of their appetite for ecclesiastical conferences. It was proposed that they should be invited to attend if they desired to be considered yet brethren, and at the second session

1. Cald., II, 244.

2. Knox, II, 417.

3. Ibid., 420.

they appeared, but sat apart and desired a conference with the superintendents and the more learned among the ministers. With express charge to conclude nothing without the knowledge and advice of the Assembly, three superintendents, of whom ^{Erskine} was one, the rector of St. Andrews University, and five ministers, to whom Knox was afterwards added, were commissioned to discuss matters with these court lords, who included Moray and Glencairn¹.

The subject of debate² was in fact the methods by which Mary might be won over to the support of the Protestant religion. In the opinion of Moray and Maitland, the influence of Protestant nobles at court might persuade their queen to a marriage that would guarantee the permanence of the Reformation in Scotland: Knox believed that only the grace of God could draw her from her Catholicism, and he had wellnigh given up hope of her fitness to be favoured by Divine mercy. Their difference was fundamental, and Knox's attitude was well stated when he retorted to Lethington, "Weill, let wardlie men praise wardlie wisdom so heichlie as thay please, I am assureit, that be sik shiftis, idolatrie is mentenit, and the treuth of Jesus Chryste is betrayit"³.

The Assembly's representatives were not unanimously on the side of Knox, for John Douglas, the rector of St. Andrews, and John Winram, superintendent of Fife, declared their unwillingness to take from Mary her personal right of hearing mass, though they consented that it was an idolatrous practice⁴. Apparently, however, the others were quite convinced of the wisdom, indeed of the pressing necessity, of forbidding the hearing of mass even by the queen. Of Erskine's own views we know nothing. The presumption is that he took the less tolerant view, but on the other hand his friend Knox may have deliberate-

1. Knox, II, 422-424: Cald., II, 250-252.

2. Knox, II, 425-461: Cald., II, 253-280.

3. Knox, II, 460.

4. Ibid., 455-456.

ly suppressed any reference to his possible support of Winram and Douglas in a conclusion so abhorrent to the historian, though, on the whole, that is unlikely.

At the fifth session of this Assembly, John Erskine was appointed to a committee constituted to draw up a report on the nature and scope of the Kirk's jurisdiction¹. The confidence which his brethren, then and later, reposed in the superintendent of Angus and the Mearns proves that he cannot have been a deserter to the court lords, but it is certainly strange that in September of this year he took a crown lease of the deanery of Aberdeen for the term of his life, the rent being four hundred merks, of which he was to pay three hundred and seventy-five direct to one James Lauder². From the Register of Deeds it appears that this James Lauder was a "varlat of hir hienes chalmer"³. What induced Erskine so to traffic in that wealth which the Kirk claimed as its own, it is impossible to say, but there may have been a sentimental reason for the transaction, or, more probably, the step was taken in order that he might be in a better position to carry out the provisions of his uncle's will, a task which had not proved easy⁴.

Whatever the explanation, ministerial confidence in Erskine was sufficiently strong to secure his election as moderator of the General Assembly in December, 1564⁵. It was a time of anxiety. The Spanish marriage had been pronounced impossible. Elizabeth's suggestions had been insincerely made. Mary had at last, impatient of delay, decided to act for herself. Lennox had been recalled from England, and with the arrival of this Catholic relative of the queen Protestant hopes had sunk to a low ebb. When Matthew Stewart was restored to his former honours in the month in which the Assembly met, Protestant prospects were black indeed, not only for those who

1. Bk.Univ.Kirk,I,50.

2. Reg.Sec.Sig.,XXXII,f.120b. see Appendix E

3. Reg.Deeds,VII,f.88b.

4. See pp.142-143 and notes.

5. Bk.Univ.Kirk,I,52: Row,26.

through good report and bad had continued to profess their ~~reformed~~ ~~reformed~~ faith, but even more perhaps for those who had dallied with the idea of a political triumph over the forces of Catholicism. For the restoration of Lennox was at once a blow to the Hamiltons and a rebuke to Moray and Maitland of Lethington, and the selection of Erskine to the moderatorship of Assembly may have been not unconnected with the possibility of renewed relations between the two branches of the Protestant party; his value in diplomacy was doubtless recognised in more quarters than one.

A series of articles was prepared, in which work Erskine probably bore his share, for presentation to the Privy Council, and that body was requested to obtain an answer to them from the queen and communicate it to the Assembly. They were seven in number: the first sought the prosecution of breakers of the laws against the celebration of mass; the remaining six were concerned with the financial support and the more complete organisation of the church, facilities for public worship and the maintenance of ecclesiastical buildings¹. But Mary was to have little inclination to solve her country's religious problems, for Henry, lord Darnley, followed his father, Lennox, to Scotland in the middle of February, 1564-65. A Catholic descended from the house of Tudor, young and handsome, he found speedy favour with the queen on personal grounds, though motives of policy would have sufficiently explained any preference which she showed for him, and, carried away by her infatuation, Mary married Darnley before the arrival of the Papal dispensation which their kinship demanded. But nearly three months before the public celebration of the wedding, Randolph, writing to Cecil, reported of Lennox that "his men are bolder and

1. Bk. Univ. Kirk, I, 53. At this Assembly Erskine was appointed to visit the churches of the west and south-west for the purpose of examining ministers, exhorters and readers as to their fitness for office. Similar duties elsewhere were laid on Spottiswoode, Willock and Knox (Ibid., 54).

saucier, both with the queen's self and many noblemen, than ever I thought could have been borne: divers of them now resort to the mass, and glory in their doings. Such pride is noted in the father and the son, that there is no society or company amongst them"¹. Moray had already quitted the court, and the favour which the queen showed to the Italian musician and secretary, David Rizzio, was an additional intimation to her nobles that for the future she would 'gang her ain gait', though Mary was not so stupid as to underline too heavily the decision she had taken.

Early in May, Moray's willingness to co-operate once more with the preachers was evidenced by the drafting of certain demands for the maintaining of religion. These were delivered to Moray for presentation to the queen and Privy Council, and were the basis of the demands presented by the General Assembly in June². Later in the same month a Convention was summoned to meet in Stirling for the purpose of approving Mary's marriage to Darnley. Among others, the superintendents were invited to attend³, and Erskine duly received his summons⁴. It behoved Mary to placate her dissatisfied subjects, and the Protestant lords consented to the marriage on the understanding that their faith was to be legally recognised and Roman Catholic worship suppressed by statute⁵, while on 13 May she gave audience to Willock, Winram and Spottiswoode "whom she cherished with faire words, assuring them, that she desired nothing more earnestly than the glory of God, and the satisfying of men's consciences, and the good of the Commonwealth; and albeit she was not perswaded in any Religion but in that wherein she was brought up, yet she promised to them that she would hear conference and disputation in the Scriptures: And likewise she would be content to hear publike preaching, but alwayes out of the mouth of

1. Letter of 3 May, 1565, Tytler, edn. 1873, III, 195.

2. Knox, II, 479.

3. Ibid..

4. L.H.T., XI, 365.

5. Knox, II, 481.

such as pleased her Majestie; and above all others, she said, she would gladly hear the Superintendent of Angus, (for he was a mild and sweet natured man,) with true honesty and uprightness, John Ariskin of Dun"¹.

The General Assembly met on 25 June, 1565, under the moderatorship of John Willock, and on the next day Erskine and the Moderator, with Christopher Goodman and John Row, were entrusted with the framing of a petition to be presented to the queen. The articles were submitted to the Assembly the same day², the celerity of their completion being explained perhaps by the existence of the demands, already referred to, of the Protestant nobility. If Mary had ever regarded the Superintendent of Angus as a pliant precursor of the Vicar of Bray, she was disabused by the terms of the Assembly's petition. It demanded statutory enactment for the suppression of all Catholic practices, not only among Mary's subjects, but by the queen herself, the establishment of the Protestant religion as understood by the petitioners, the compulsory acceptance of it by the whole realm, Mary included, and public attendance at worship, at least on Sundays. Assured and easily collected stipends were required for the ministry, the disposition of all vacant benefices was to depend upon trial and admission by the superintendent, vicarages were no longer to be attached to bishoprics or collegiate foundations, but were to be treated as separate charges, and the handing over of manse and glebes, and the repair of kirks, were demanded, that there might be no excuse for non-residence. Nobody was to be permitted to engage in education, public or private, unless approved by the Church. Education and poor-relief were to be provided for out of the endowments which the Roman Church had enjoyed or administered for charitable purposes, and out of the property of the orders of Friars, and the endow-

1. Bk. Univ. Kirk, I, 59-60.

2. Letter from Randolph to Cecil; Keith, II, 605. Erskine was a lay representative.

1. Knox, II, 482.

2. Bk. Univ. Kirk, I, 59.

3. Bk. Univ. Kirk, I, 67-68.

ments of chantries and altarages. The sins of blasphemy, Sabbath-breaking, witchcraft and incontinence were to rank as criminal offences, and the people were to be restrained by severe laws, and the laws put in execution by judges in every part of the land. Last of all, teinds were to be exacted from "the poore labourers of the ground" with less harshness¹.

The demands of 1560 were not abated, but the situation was too critical for a compromising offer, which would have been reckoned an admission of defeat. The deputation which laid these petitions before the queen included the earl of Glencairn and the laird of Dun². They can have approached her with but slender hopes. Religious toleration obtained in practice, but neither the crown nor the Church was content with toleration, and the royal policy seemed certain to prevail. Moray was in voluntary exile from court and was soon to be in involuntary exile from Scotland. The marriage of Mary to a Catholic husband, already contracted in private, was on the eve of being celebrated publicly. The stipends of the ministers were withheld³. And the answers given⁴, though reasonable enough in their wording, can have done little to re-assure the petitioners. The queen refused to change her religion, a step certain to be obnoxious to the king of France and other princes "of whom scho may looke for great support in all her necessities". A pretty prospect for her Protestant subjects! Liberty of conscience was conceded to Protestants and demanded by Mary. With regard to the patronage of benefices, the queen maintained that the surrender of her rights would defraud the crown of its just patrimony, but, subject to the satisfaction of her needs, she was willing to assign reasonable sustentation to the ministry, while her liberality to the poor should always be as great as

1. Bk.Univ.Kirk,I,59-60.

2. Letter from Randolph to Cecil; Keith,II,305. Erskine was the only clerical representative.

3. Knox,II,511.

4. Bk.Univ.Kirk,I,67-68.

could fairly be required of her. The questions of establishing the reformed faith by law, of instituting ecclesiastical control over teachers, of restraining blasphemy, immorality and the crimes which disgraced the country, of the relief of the agricultural classes, all these were matters for Parliament, by whose decision she would be bound.

Each side had learned little and forgotten nothing. Erskine of Dun, at the instance of the head of his house, lord Erskine, recently created earl of Mar, essayed the role of peacemaker with Moray¹, but that he was completely faithful to the Church is proved by his commitment to prison in September along with twenty or thirty more². He cannot have been long in custody, however, for he acted as moderator of the Assembly in December, from the accounts of which it would appear that he had been at liberty at least throughout the preceding two months³, and it is not surprising that on this occasion he expressed a desire to be relieved of the duties of superintendent. The queen's answers to the articles of June were reported, and John Row drew up a counter-reply in which the Church assured Mary that it had no wish to interfere with her rights of patronage, but insisted that any person presented "sould be tryit and examineit be the judgement of learned men of the kirk":⁴ again, rights of patronage apart, the keeping of benefices vacant was ungodly and contrary to public order inasmuch as the common people were denied religious instruction: further, the Assembly craved particulars of the proposed assignation for the sustentation of ministers⁵. This last need was brought up again during the second session, annexed to a complaint that ministers, exhorters and readers were not paid their stipends⁶. This complaint was renewed at the next Assembly in June, 1566⁷, when

1. Knox, II, 494.

2. For. Cal. Eliz., 1564-1565, p. 464.

3. Cald., II, 294.

4. The non-intrusionist policy of 1560 was evidently in danger.

5. Bk. Univ. Kirk, I, 68-71.

6. Ibid., 71.

7. Knox, II, 532. The diminution of the available Thirds had been hastened by the unwise liberality of the crown, and all gifts or pensions out of the Thirds, and leases of church lands or teinds, were cancelled in August, 1566. (R.P.C.I., 477-479).

Erskine was continued in the office of moderator¹, and such was the destitution of the ministry that its members were granted permission to desert their charges for others² where they might hope to escape starvation. Mary was lavish with her promises, but she had no intention of setting up an imperium in imperio by endowment of her adversaries, and, when at last she made an offer to the Church³, it is evident that its acceptance was the result of sheer penury, the Assembly of December, again under the moderatorship of Erskine, agreeing to the offer if the award could be immediately made effective, without prejudice to the liberty of the Kirk to "sute for that thing that justlie pertaineth to the patrimonie of the same, in tyme and place convenient"⁴. It was further re-asserted that the teinds were the rightful property of the Kirk for the support of its ministry, the poor, and schools, and a protest was entered against their alienation to other uses, whereby ministers were pinched, the poor starved, schools decayed and churches fell into dilapidation⁵. The reception of the queen's offer may appear ungracious, but three days earlier the archbishop of St. Andrews had had his ancient powers of jurisdiction restored to him, a defiant exercise of prerogative which aroused the liveliest alarm.

Meantime, events had taken place destined to have far-reaching consequences. The increasing reliance of Mary upon the advice of her Italian secretary, her realisation of Darnley's unstable character, her inborn desire to "be a queen", all withdrew from her not only the love of her youthful husband but also the support of her neglected nobility. Moray and the other fugitive lords were not slow to avail themselves of the jealousy which was consuming the hare-brained, unloved and inconsiderate king; and the removal of Rizzio, the reputed author

1. Bk. Univ. Kirk, I, 77.

2. Knox, II, 532.

3. See p. 156 and note 1.

4. Bk. Univ. Kirk, I, 82-83.

5. Row, 29-30.

of the policy which had reduced the Protestants to impotence, and the supposed cause of Mary's estrangement from Darnley, was decided upon. No process could be too speedy for the foolish king, and on 9 March the Italian was stabbed to death in the palace of Holyrood almost before the eyes of the helpless queen. The next evening Moray entered Edinburgh and was received by the queen. But Mary could still influence her husband when she chose, and the fact that their son was to be born three months later provided her with an argument calculated to attach him to her side. The impressionable youth was won over, and the royal pair left Edinburgh and took refuge in Dunbar, whither the nobles who were still of the queen's party repaired. Preparations were at once made to avenge the murder, and the Protestant lords, deserted by their king and fellow-conspirator, and realising their insecurity, left the capital. But Mary had need of allies; her husband was utterly unreliable; her physical condition forbade excitement and undue risks; and presently Argyll, Glencairn and Moray were once more associated with Huntly and Athole in the conduct of national affairs¹; and with them sat Bothwell, whose unscrupulous ambition, united with the queen's illicit desires, was to precipitate the central tragedy of Mary Stewart's career. In Bothwell, Moray's bitter foe, Mary recognised first the adventurous soldier whose extensive lands, together with his powers as baillie of Lauderdale and sheriff of Berwick, Haddington and Edinburgh, might set her above the necessity of ruling otherwise than as an absolute monarch; but where the queen approved the woman loved.

The estrangement of Mary and Darnley was accentuated by the preference shown by the queen for this infamous accomplice, and in the closing days of December, 1566, the ring was cleared for the settling of accounts between Mary and her unfortunate

1. R.P.C., I, 454, 455, 456.

2. *Ed. Univ. Hist.*, I, 88.

3. *Op. Cit.*, 13.

consort. His own discarded allies, who had shared with him the guilt of Rizzio's murder, were pardoned. The complaints of the Protestant clergy at last had attention. A deputation from the Assembly of December, 1566, not only obtained their desires "in an ample manner at the Queen's Majesties hand" but were granted the right of uplifting in every burgh the incomes of altarages, chantries and other similar foundations with which to support the local ministry, schools and poor¹.

Erschine's public activities in the period under survey were so incessant, so various and so dispersed that of necessity they can have left him little leisure for the cultivation of domestic joys. Indeed, so burdensome must they have been that no other explanation need be sought for the "weakness and debilitie of his bodie" which he advanced as a reason for wishing to be relieved of a superintendent's duties in December, 1566. But the Assembly decided that he could not be spared, though they permitted him to appoint deputies within his bounds "to visit when he found himself unable"². ~~See~~ Melville's ^{however} Diary, affords us an interesting glimpse of the more private side of his life between 1562 and 1567. Melville in those years was at school under William Gray, the minister of Logymontrose, "a guid, lerned, kynd man"³. Gray provided his pupils with an education remarkable not so much for the formal studies pursued, (these included French), as for the attention given to games and the encouragement of emulation. "Ther also we haid the aire guid, and fields reasonable fear; and be our maister war teached to handle the bow for archerie, the glub for goff, the batons for fencing; also to rin, to loope, to swoum, to warsell, to prove pratteiks, euerie ane haiffing his

1. Knox, II, 539: R.P.C., I, 497-498. The provision for the ministry was "ten thousand pundis money, and four hundrith chalderis victuale". (R.P.C., I, 494). Two months earlier, it had been decreed that the Third should be supplemented by the revenue of small benefices yielding three hundred merks or less (R.P.C., I, 487-488).

2. Bk. Univ. Kirk, I, 82.

3. Op. Cit., 13.

matche and andagomist, bathe in our lessons and play"¹. To the enlightened manse of Logymontrose resorted many of the gentlemen of the country side, including "that notable instrument in the Kirk of Scotland, Jhone Erskine of Done", to talk over affairs of church and state². 571.

In conclusion, his connection with the mercantile life of Montrose cannot have ceased entirely, for on 4 July, 1566, Erskine was confirmed in the office of customar of that port³. He doubtless transacted the business by "his deputis, factouris and seruitouris", but a certain amount of personal supervision would be required, and this, with his travels up and down the country, his meetings with many types of men, the variety and importance of the affairs in which he was engaged, must have saved him from the narrower outlook which has too often characterised the clergy of all lands and all churches.

might be attempted even by those who were opposed to her.

1. Op.cit., 14.

2. Melville's Diary, 15. Without a rag of reputation, Mary was

3. Reg. Sec. Sig., XXXV, f, 51a. See Appendix F.

still their sovereign. If she did not rule, who would take

her place? Jealousy and suspicion were abroad. To procure

the verdict of Parliament was impossible. A convention was

certain to reveal hopeless diversity of opinion. One body a-

lone could be trusted to endorse the imprisonment and, if ne-

cessary, the dethronement of the queen, and to the Assembly

the insurgents turned for support.

George Buchanan acted as moderator of this Assembly¹, were keenly interested, we may assume, in the altering relations of crown and people than in any possible questions of ecclesiastical practice which might agitate the ministry. Earlier in the year the queen had repudiated her undertaking to meet the desires of the Church², and at the first session John Erskine and the laird of Bargany were instructed to interview the Privy Council and secure the co-operation of that body for the

1. Sk. Univ. Kirk, I, 93.

2. Calderwood, II, 351.

CHAPTER VIII. 1567-1571.

Between the second Assembly of 1566 and the first of 1567 Scotland witnessed a complete, if it could not yet be regarded as a permanent, change in the political situation. The murder of Darnley, the queen's marriage to Bothwell, her submission to the insurgent Protestant lords at Carberry Hill and her imprisonment in Lochleven castle - all these events took place before the supreme court of the Church re-assembled on 25 June, 1567. But the future was far from assured. Even Protestant opinion was not unanimous, and the re-instatement of the queen might be attempted even by those who were opposed to her ecclesiastical policy. Without a rag of reputation, Mary was still their sovereign. If she did not rule, who would take her place? Jealousy and suspicion were abroad. To procure the verdict of Parliament was impossible. A convention was certain to reveal hopeless diversity of opinion. One body alone could be trusted to endorse the imprisonment and, if necessary, the dethronement of the queen, and to the Assembly the insurgents turned for support.

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1. Bk. Univ. Kirk, I, 93.

2. Calderwood, II, 351.

"establishing of Gods word, the true religioun, and supporting of the ministrie within this realme"¹. The time had indeed arrived when the lack of religious unity could no longer stand in the way of a national religious settlement, for Scotland could never enjoy the blessings of political peace until she possessed a settled ecclesiastical policy. The doctrine, "*cujus regio, ejus religio*", had been cherished by Mary: the insurgents might well have adopted as their motto "*cujus religio, ejus regio*", but the precarious ascendancy which they had achieved doubtless inspired Erskine and his fellow-envoy with no extravagant hopes of success. But in any case it was important that those Protestant nobles who were disposed to condemn the treatment to which Mary had been exposed should be won over if possible, and on 26 June it was decided to summon to a postponed meeting² of the Assembly on 20 July certain earls, lords, barons and other brethren, to the number of thirty-eight³, that all influential Protestants might be committed to the approval of the recent coup d'état. The letter of invitation⁴ was signed by Knox, Row, Craig, the superintendents of Angus and Lothian and the rector of the University of St. Andrews, though not, curiously enough, by Buchanan. After referring to the failure of the reformed Church to obtain for its creed and its ministry adequate moral and material support, the writers pointed out how Scotland had of late escaped the persecution to which France and the Low Countries had been subjected, and intimated the judgment of the Assembly that the decay and ruin of the Kirk so virtuously begun should be arrested and repaired "be ane universall concurrence and consent of the haill professours of Chryst Jesus within this realme" and the craft of implacable enemies at home and abroad stayed

1. Bk. Univ. Kirk, I, 93.

2. Calderwood reckoned the July meeting a separate Assembly, but see Row, p. 33 and note.

3. Their names are given in the Bk. Univ. Kirk, I, 95-96.

4. Bk. Univ. Kirk, I, 94-95.

by the united diligence of the brethren to establish securely the religious and economic independence of the Church.

What the temper of the Assembly was likely to be in July may be gauged by Throckmorton's assurance to Elizabeth that, though he had counselled moderation to Knox and Craig, he had found them "very austere", defending their hostility to Mary on Scriptural, historical and constitutional grounds¹. What powers the Assembly was likely to possess was another matter. The Protestants were divided. "Some of the nobilitie deplored [the/queen's] calamitie, who before deteasted her crueltie"².

Mary awaited the issue of events. Maitland of Lethington offered ^{her} his services. ~~and~~. The Hamiltons were offended, their pride forbidding them to co-operate with any who could act without them. Although the queen herself simplified the issue by asserting that she would rather beg with Bothwell than reign without him³, yet the appeal to the Protestant waverers was ineffective. Excuses for absence from the Assembly were made on the ground that the brethren were met under arms and "accompanied with men of warre"⁴, and that the capital was "keipit straitlie be one part of the nobilitie.....to quhose opinioun [certain of the absentees were] not adjoynit as yet"⁵.

But when the Assembly convened for its fifth session on 25 July it was learned that on the previous day Mary had been induced or forced to surrender the throne, and John Erskine was one of the ten whom she authorised to receive her demission⁶. Under the circumstances, the demands⁷ of the Assembly were naturally comprehensive. They required all the acts of

1. Robertson's History of Scotland, 2 vols., Edinburgh, 1791: vol. II, Appendix, 61-62.

2. Calderwood, II, 371.

3. Ibid..

4. Bk. Univ. Kirk, I, 101.

5. Ibid., 102.

6. R.P.C., I, 533. The others were the earls of Morton, Athole, Mar, Glencairn and Menteith, the Master of Graham, lord Horne, the bishop of Orkney and the provost of Dundee.

7. Bk. Univ. Kirk, I, 106-110.

the Reformation parliament to be put in execution, and the allocation of the thirds of benefices to be made effective, (an imprisoned queen could subtract little of that income), while to the previous demands of June, 1565, relating to education, morality, and the relief of the cultivators of the soil were added condemnation of Darnley's murder, and a resolve to secure, if possible, the punishment due for that crime, and an undertaking to maintain and defend the infant prince in whose favour the crown had been given up; ^{lastly} ~~the~~, the signatories bound themselves to convene with all available forces for the banishing of Catholic practices without regard to place or person. Perhaps the most interesting article of all, however, is the statement that all future monarchs must "make ther faithfull league and promise to the true Kirk of God.....as they crave obedience of there subiects, so the band and contract to be mutuall and reciproque in all times comeing betuixt the prince and God, and also betuixt the prince and faithfull peiple according to the word of God". This was far from being an anticipation of the political Theory of Contract,* for it was a provision for the future, not an explanation of the past, but it indicated a belief that the complete establishment of a Presbyterian ecclesiastical system with a Calvinistic creed would enable something not far short of a Theocracy to be set up in Scotland¹. These demands were engrossed in the Register of the Privy Council², and so obtained the semblance of legal validity, but permanent effectiveness was contingent upon parliamentary ratification and general willingness to implement legislative enactment.

On 29 July the infant prince was crowned as James VI at Stirling, Spottiswoode, Erskine and Adam Bothwell, who had adopted Protestant views, setting the crown on his head³, and

1. John Erskine was one of the seventy-five who attached their signatures to these Articles.

2. R.P.C., I, 534-537.

3. Historie and Life of King James the Sext, Edinburgh, 1825, (Bannatyne Club), p.17.

* See, however, Pollard's *Factors in Modern History*, 174-176.

the earl of Morton and the laird of Dun took the coronation oath on behalf of the king of thirteen months¹. Now the deposition of Mary was an act odious even to the queen of England, and those who shared responsibility for that act, and aggravated their offence by taking part in the coronation of her son, were taking risks as grave as the ultimate success of their policy was problematical. Their confidence was strengthened by the return of Moray from France, whither he had proceeded during the ascendancy of Bothwell, and by his elevation to the regency, but not till the defeat of her supporters at Langside in May, 1568, sent Mary flying into England did the regent receive anything but opposition from Elizabeth. With Mary safe in her hands, however, Elizabeth changed her tone, and his success over the Marian lords strengthened Moray's hands at home. But he did not wait to see his authority unquestioned before addressing himself to the religious and financial establishment of the Church. A parliament was summoned to meet in December, 1567, and meantime the Privy Council ordered that, despite any royal gifts made in the past, the thirds of benefices were to be uplifted by the Collector without diminution, in order that the needs of the state and the claims of the ministry might be met²; and they further decreed the enforcement of the statute ordering the repair of parish churches³. But it cannot have been very comforting to men like Knox that the Third was reckoned to be that source of income "quhairthrow the publick effarischeiflie.....sould have bene furnessit"⁴. It may have been this decision of the Council which was sent to the laird of Dun by Moray in the month of September⁵, and in any case a precept of 2 November, 1567, is preserved at Dun, in

1. State Papers, ed. Bain, II, 370: Stevenson's Illustrations of the Reign of Queen Mary, (Maitland Club), p. 257. Knox, II, 566, says that Morton and lord Home took the oath. The R.P.C., I, 542, mentions Morton only.

2. 20 September, 1567 - R.P.C., I, 573-575.

3. R.P.C., I, 575.

4. Ibid., 574.

5. L.H.T., MS. Vol., 1566-1567, f. 30a in the numeration for 1567.

which the regent instructed the Collector to leave to the agents of the Church the ingathering of those thirds which had been assigned for the support of the ministry¹.

On 4 December, 1567, John Erskine was one of those who signed a decree by the regent and Council against Mary², which was later confirmed by the statute "Anent the retentioun of our Souerane Lordis Motheris person"³. Parliament opened on 15 December, and Erskine was present as the representative of the burgh of Montrose. He was elected one of the Lords of the Articles⁴, and Spottiswoode, Knox, Craig, Row and Lindsay were co-opted to that body, apparently for the purpose only of considering the matters in contemplation affecting the Church⁵. The work of this Parliament included statutory approval of Mary's surrender of the crown, her son's coronation, and Moray's appointment to the regency: the anti-Catholic acts of 1560 were ratified, and the Confession of Faith was sanctioned: penalties were framed against heretics and upholders of the mass, the approval of superintendents or other officials of the Church was declared necessary to prevent the intrusion of unfit incumbents by lay patrons: and kings, magistrates and notaries were to be bound by oath to maintain the religion then preached within the realm⁶. All this was doubtless highly gratifying to the leaders of the Church, but it is questionable, in spite of the Assembly's subsequent assurance to Willock that sufficient provision had been made for the ministry⁷, whether that body was altogether satisfied with the grant of so much of the Thirds as was required for the payment of ministerial stipends, any surplus to be applied to the needs of the state⁸. But ecclesiastical control of education, the provision of bursaries, the

1. Sp. Misc., IV, 60: Connell On Tithes, II, 32-33.

2. State Papers, ed. Bain, II, 398.

3. A.P.S., III, 27.

4. Ibid., 4.

5. Ibid., 35.

6. Ibid., 11-24.

7. Cald., II, 399.

8. A.P.S., III, 24.

punishment of vice, and the removal of Catholic restrictions upon marriage were agreed upon¹, while it was remitted to a committee, of whom Erskine was one, to determine the limits of the Church's jurisdiction².

Regarded with dispassion, these enactments were as favourable to the Church as could reasonably have been expected. After all, whatever might be said against lay possession of the temporalities of the old Church, the fact of that possession was an obstacle to their acquisition with which even the most bigoted Protestant was compelled to reckon, and the grant of the thirds was a temporary measure to tide the young church over the intervening period till the teinds should become available in toto for its support. That the economic position might be expected to improve, as the old incumbents died and the reformed faith was more heartily accepted throughout the country, is evident from the admission of the Assembly of July, 1567, that the assignments within the sheriffdoms of Kincardine, Forfar, Perth and Fife had for the most part been duly paid³. This reflects equal credit on the practical piety of the dwellers in these parts and on the devotion to business of the superintendents concerned. It is worth emphasising, however, that similar results might confidently be anticipated elsewhere as the Church gained in influence and as its machinery of collection was improved, and the ministers might look forward to the enjoyment of a not inadequate provision for their needs, so long as no evasion or alteration of the law was attempted or permitted by the crown. Unfortunately for the Church, the law was easily set aside, and the premature death of the regent Moray robbed the ministers of that protector most likely to safeguard their interests.

The immediate prospect, however, justified the Assembly's

1. A.P.S., III, 24-26.

2. Ibid., 24-25. Spottiswoode, Knox, Craig and Lindsay were the other clerical representatives.

3. Bk. Univ. Kirk, I, 104.

jubilation, and Erskine may have felt that his work had at last been crowned with success: Protestantism was the officially accepted national faith; the support of the ministry had been assured by Parliament. When, therefore, he presented to the General Assembly his demission of the office of superintendent on 1 January, 1567-68, on the ground that his age and infirmity prevented him from discharging the duties¹, the reflection that the burden and heat of the day were past may have been present to his mind. The Assembly, however, for reasons which were to be communicated to him privately, was unable to accept his resignation. These reasons can only be surmised, but it is possible that they were not unconnected with the long acquaintance of Erskine and the regent, from which the members of Assembly might hope for even better things to come.

The year 1567 yielded poor crops², and as a consequence the ministers must have drawn stipends from a somewhat attenuated Third, but the defectiveness of the early accounts of the Collector General, and their disappearance for certain years, render it impossible to say how far the hopes of the Church were disappointed by a cause over which neither the regent nor anyone else had control. The available accounts of the sub-collector for Forfar and Kincardine are very fragmentary, save for 1563 and 1568, and all that can be said is that he gathered 3982 lib.15s.9d. for 1566³, which, with the victual uplifted, gave him a total of 5193 lib.5s.4d.⁴. With this he apparently satisfied the clergy of his district "for the most part"⁵. His money income for 1568 went up by nearly 72 lib.⁶, but he was unable, as will appear, to pay ministerial salaries in full in that year, so that it appears probable, even when a

1. Bk. Univ. Kirk, I, 117: Cald., II, 392.

2. Hist. of K. James the Sext, 21.

3. Compt of the Sub-Collector of the Thirds of Benefices (Forfar and Kincardine), 1563-1568, f. 37b.

4. Ibid., f. 44b.

5. See p. 164.

6. Compt of the Sub-Collector, f. 62b.

difference in the number of recipients is allowed for, that stipends ^{were} paid in part in 1567 as well, when his receipts no doubt fell off. If it were so in Angus and the Mearns, it is not surprising that the Assembly of July, 1568, complained in respect of the country as a whole that many ministers failed to get even a quarter of the stipends assigned to them¹. The bearers of this complaint to the regent, Erskine of Dun, Winram, Spottiswoode and three others, were also commissioned to urge that the ministers should enjoy their thirds undiminished, any burdens falling on what was left to Papists and others "that labour not in the ministrie", and were to ask that superintendents should be appointed where they were lacking, benefices, especially cathedral and metropolitan churches, should be filled, and definite proposals made regarding the grant and augmentation of ministerial stipends². These complaints and petitions do not suggest that the regency of Moray had brought to the Church that prosperity which had been hoped for, but it was less than two months before the meeting of this Assembly that the battle of Langside had been fought, and in 1568 the state of public business was very disorganised³. The reply of the Privy Council to Erskine and his fellow-deputies, dated 8 July, assured the Assembly that steps would be taken to pay the sums due in respect of the crops of 1566 and 1567, and for the future; promised that "all commoun kirks" should be given to qualified ministers; advised that, since more superintendents could not be appointed, commissioners should be chosen to do the work; and announced that conference would be arranged between representatives of the government and the Church respectively with reference to stipends⁴. Desirous of restoring order to his country, satisfying the Church, and making both

1. Cald., II, 425.

2. Ibid., 425-426.

3. cf. Excheq. Rolls of Scotland, XX, Intro., lvii and the defective fragmentary volume in the Register of the Thirds marked 1566-1567, 1568.

4. Cald., II, 426-427.

ends of national finance meet, Moray had no sinecure, and the announcements regarding superintendents and the filling of "commoun kirks" indicate how impossible it was bound to be for even the best-disposed of rulers to satisfy all claims.

The difficulties under which the government lay are well illustrated by the accounts of the Sub-Collector of the Thirds of Forfar and Kincardine in respect of the crop of 1568. The diocese, we have found reason to suppose, was well administered, and it does not appear that other districts were equally favoured. But relatively fortunate as it may have been, the salaries of the clerical stipendiaries were neither excessive nor fully paid, though the payments exceeded the sub-collector's local receipts. The latter's takings in money amounted to 4054 lib.11s.9d.¹, and the requirements of the superintendent, ministers and readers came to over 4500 lib.². The sub-collector actually disbursed in cash 4182 lib.14s.11d., though this sum included several exceptional payments to ministers and others, amounting to 165 lib.13s.3d.³, which did not come under the head of salaries, and may have been payments of arrears. The superintendent drew 466 lib.13s.4d.⁴, and in addition had five chalders of wheat⁵ and ten of bere⁶, while twenty-nine ministers of Angus received from 30 lib. out of an assigned stipend of 40 lib. up to 200 lib.⁷, the average being approximately 81 lib. or, say, 120 merks, representing a possible average salary today of £130, with a maximum of about £325 and a minimum which the curious may calculate for themselves. Seven ministers of the Mearns received an average of exactly 71 lib., the highest sum received being 120 lib., and the lowest

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1. Compt of the Sub-Collector of the Thirds of Benefices (Forfar and Kincardine), 1563-1568, f.62b.
 2. This sum is arrived at by an examination of the short payments throughout the folios pertaining to this year.
 3. Compt of the Sub-Collectour, f.70a.
 4. Compt of the Sub-Collectour (Forfar and Kincardine), 1563-1568, f.73b.
 5. Ibid., f.63a.
 6. Ibid., f.64b.
 7. Ibid., f.71a, b.

33 lib.13s.4d. out of a nominal 50 lib.¹. In addition to these thirty-six ministers, there were twenty-nine readers in Angus whose salaries varied from 12 lib., out of a nominal 16 lib., to 50 lib. paid in full to the exhorter at Logymontrose and Dun², with the miserable average of 18 lib.11s.9d., while the fourteen readers of the Mearns had to face existence on pittances ranging from 5 lib. to 20 lib.³.

It may appear to some very discreditable to the superintendent that he should have enjoyed a money-salary more than twenty-eight times, and a total remuneration nearly forty-eight times, the average given to a reader, but it is probable that, while he drew the money, it was not all spent on himself; at all events, when he was nearly eighty years of age he assured James VI that he had "spendit yeirlie in the causs of the Kirk" the stipend which had been assigned to him⁴; and, had the statement not been substantially true, it is unlikely in the extreme that Erskine would have retained, as he certainly did retain, the respect and confidence of his fellow-Churchmen. But, the superintendent's salary apart, no one can pretend that the stipends quoted were an extravagant recompense to the clergy and their assistants, and they form an eloquent comment on the disturbed condition of the country, for the fact that the sub-collector's outgoings exceeded his receipts proves that there was no official disposition, locally at least, to satisfy the state at the expense of the ministry.

If John Erskine was innocent of self-seeking, his son, Alexander, perhaps was no loser by his father's friendship with the regent, for on 17 January, 1567-68, he and his wife, Christian Stratoun, were granted a nineteen years' lease of the lands formerly possessed by the Black Friars of Montrose⁵.

1. Compt of the Sub-Collectour (Forfar and Kincardine), 1563-1568, f.73a.

2. Ibid., f.72a, b.

3. Ibid., f.73a, b.

4. H.M.C., Fifth Report, p.636, no.16.

5. Register of Presentation to Benefices (Register House), I, f. 7b: Reg. Sec. Sig., XXXVII, f.27a. See Appendix G.

The statement that the moderate rent of six merks was the "auld dewitie" clears Alexander of the suspicion under which he might lie, but, in the circumstances of the time, it is probable that the rent was a very easy equivalent for the lands in question. If the feeling remain, that the family of the superintendent gained in pocket by the Reformation, it would certainly take much more evidence than is available to prove that their gains were on anything like the scale that provoked the wrath of the Church against the majority of Scotland's landed gentry.

The power which the superintendents enjoyed at this time in the deliberations of the Church is clearly indicated by a decision of the General Assembly of July, 1568, which enacted that the supreme court of the Church should consist of superintendents, commissioners of provinces, ministers elected at the diocesan convention and certified by their superintendents as "persons able to reason and to judge", together with representatives of shires, burghs and universities. Of these, only the superintendents were to appear regularly, for to prevent "a perpetuall commissioun of a few and certane persons" all other representatives were to be changed from Assembly to Assembly¹. In regular attendance at meetings of the General Assembly, and with the implied right of revising the electoral findings of their synodal conventions, the superintendents, if they could only agree upon a common policy, could obtain overwhelming influence in the government of the Church. There is no proof, however, that they made any regular attempt to secure for themselves the position of an ecclesiastical cabinet, though the records of the Church certainly show that they were far from being mere figure-heads, and in the nature of the case they were bound to be tempted to assume a degree of control

1. Cald., II, 421. It is interesting to compare this account with that of Spottiswoode, II, 92-93, where the powers of superintendents are considerably overstated.

not very consistent with the democratic constitution of the Book of Discipline.

Towards the close of 1568 sickness was so prevalent in Edinburgh that people were chary of visiting the town, and in any case tempestuous weather made travelling difficult. Both reasons combined to make the attendance at the General Assembly in December extremely small, among the numerous absentees being Erskine and the superintendent of Fife, with the representatives, clerical and lay, of their districts. It was therefore decided to postpone till 25 February, 1568-69, the discussion of the Assembly's business¹. Before the adjourned Assembly met, Moray had returned from England, where the commissioners of Elizabeth, Mary Stewart and the regent had been fruitlessly debating the matter of the Scottish queen's deposition, and on his heels the duke of Châtelherault returned to Scotland from France². The Hamiltons and their allies, Argyll and Huntly, were bitterly opposed to Moray and his policy, for, with the infant James de iure king, the hopes of the Hamiltons to attain the throne were ended. The duke was heir to Mary, if her son should die as a prince, but not to the son if he should die as a king. But the energy of the regent procured the submission of Châtelherault. The former held a Convention in Stirling on 10 February, to which Erskine of Dun, among others, was summoned, the importance which Moray attached to his presence being indicated by the instruction to the messenger that his errand was to be done "with diligence"³, and a muster of the lieges was subsequently ordered for 10 March⁴, which produced a force sufficient to deter Châtelherault from an appeal to arms. The support of Erskine and other leading Churchmen was a matter of moment to Moray, for the duke tried to dissuade the ministers from urging their people to attend the March muster⁵. But the

1. Bk. Univ. Kirk, I, 133.

2. Cald., II, 477.

3. L.H.T., MS. Vol. 1567-1569, f. 75b.

4. Cald., II, 477.

5. Ibid., 479-481.

Hamilton ^{plot} miscarried, and the Assembly can have had little doubt, from the conduct of Huntly, which party would stand their surest friends, for that Catholic earl had seriously interfered with the work of the collectors of the thirds. Erskine and three others were commissioned by the Assembly to call on Huntly to restore these collectors to their duties, and, if he refused, they were instructed to summon him before them to answer for his doings¹. The complacency of the instruction is delightful, and it certainly was not the consequential temper of the Assembly which induced the turbulent earl, who "tuke diverse thair places, and spoulzeit thair guidis, and was cummand with ane army to Brechin to have inwadit the men of Angus and Fyff"², to satisfy, content and pay all injured by him while acting as Mary's pretended lieutenant between 1 August, 1568, and 31 March, 1569, the assessors of injuries to be Erskine of Dun, Wishart of Pittarrow and the provost of Aberdeen³.

The choice of the last-named was probably determined in part by the fact that Erskine was to be in Aberdeen in June, 1569, in connection with the reform of the University, a step demanded by the Assembly of the previous July⁴. The principal and regents, or professors, of the University were Catholics and their removal was desired by the Church. Erskine presided over an ecclesiastical court, representative of the commissioners and ministers of the sheriffdom of Aberdeen and Banff, which summoned the principal, his deputy, and three regents to give evidence of soundness of doctrine or suffer deposition from office and be prohibited from undertaking any further educational activities. Meantime, on 29 June, the regent and Privy Council demanded that the accused should subscribe the

1. Cald., II, 478.

2. Diur. of Occ., 143.

3. R.P.C., I, 664. On p. 667 it is recorded that those injured were to present their complaints to the three referees or to the provost of Aberdeen alone between 3 June and 1 July, 1569. While the provost, Thomas Menzies of Pitfodels, could receive complaints in person, the joint decision of the judges was apparently necessary to pass claims.

4. Cald., II, 425.

Confession of Faith and the anti-Catholic acts of Parliament, and the defendants were allowed till the next day to decide what they should do. They refused to give the desired pledge, and on 30 June were deposed and inhibited from teaching. The sentence being communicated to the Court over which Erskine presided, further trial was considered unnecessary, and the five defendants found honesty unprofitable, for they were excluded from membership of the Kirk and as excommunicate persons were declared incapable of teaching in public or private, and the court ordained that the sentence should be promulgated to the congregation of Old and New Aberdeen on the following Sunday, 3 July, while the General Assembly two days later approved the punishment imposed¹.

This Assembly in the summer of 1569 drew up a comprehensive list of complaints and suggestions summing up its grievances, financial and disciplinary². The representation followed pretty closely one of the previous February³, but, now that Moray's authority was firmly established by the submission of the Hamiltons, Argyll and Huntly, the subjugation of the unruly Borders and the overawing of the north, it must have seemed to the Assembly that the Church was within sight of the realisation of its hopes. Erskine of Dun and twenty other ministers and laymen were commissioned to lay the demands before a Convention which had been summoned to meet in Perth on 25 July⁴. The primary business of this very full Convention was the consideration of a communication from Elizabeth regarding the future of Mary Stewart, and of a request from the latter that her marriage to Bothwell should be annulled. It is needless here to rehearse the suggestions tendered on behalf of the queen of England. Enough that they did not commend themselves to the

1. Bk. Univ. Kirk, I, 141-144. The defendants were ordered by the Privy Council to hand over the College premises and property to the provost of Aberdeen on pain of outlawry and escheat (R.P.C., I, 675-676).

2. Cald., II, 493-494.

3. Ibid., 484-485.

4. Ibid., 493. It met on 27 July (R.P.C., II, 1).

Convention! Mary's request, however, was of the most vital significance. To grant it was to further the plan of marrying the exiled queen to the duke of Norfolk, which in turn, whether realised or not, would certainly irritate the queen of England and jeopardise the double aim of Moray's life - an Anglo-Scottish alliance and the triumph of Protestantism at home. Mary's petition was refused, and Erskine, who attended as provost of Montrose¹, voted with the majority².

When the Convention turned to the demands of the Church, it agreed that everything possible should be done to put the ministers and readers in effective possession of the necessary manse, with adequate glebes, the appointment of the full quota of superintendents was approved on the sole condition that the persons chosen should be godly and learned, while the questions of the jurisdiction of the Church, the appointment of commissioners to "cognosce in the caussis of divorcement", and the diminishing of the value of the thirds by underestimates of their value, leases, feus and exchange of benefices, were promised full and favourable consideration³. But Moray had less than six months to live, so that his friendly schemes never reached fruition. Even had he lived, however, he might have found it difficult to carry out what had been promised. His business was to govern the country, and to that end it was necessary that he should husband the national resources, for crown property, he had assured the Assembly, could no longer sustain the ordinary charges of administration⁴. Faced by many practical difficulties, and urging upon the Assembly that the Kirk would be "verie evill obeyed without the king's authoritie and power"⁵, he looked to his old allies to do their share toward rendering his government effective. The argument was

1. R.P.C., II, 3.

2. Ibid., 8.

3. Ibid., 6-7. See also Cald., II, 496-498 for these replies.

4. Cald., II, 500 (letter of Moray to the Assembly, dated 30 June, 1569).

5. Ibid..

moderate but cogent, and the Assembly had accordingly consented to the diminution of the Third by the amount necessary to support the public charges¹. The government and the Church were in agreement at last, and for the first time since the year 1560 no General Assembly met in December. But the bullet of a Hamilton assassin threw the country once more into confusion when the earl of Moray was fatally shot at Linlithgow on 23 January, 1569-70.

Robert Wodrow has preserved a tradition, current in his time in the family of Dun, that a fortnight before his death Moray paid a brief visit to the superintendent of Angus. In the course of conversation, Erskine was suddenly endowed with prophetic powers, and, with tears in his eyes, foretold the regent's death. "Such hints of future things" adds Wodrow, "wer not uncommon among our reformers, as I have more than once notticed"². No comment is required on the ascription to Erskine of the gift of prophecy, but the story of the visit is almost certainly untrue, though Moray had doubtless visited Dun on other occasions. On 2 January the regent crossed the Forth at Queensferry, where he handed over to Douglas of Lochleven the captive earl of Northumberland, a fugitive from England after the futile Catholic rising of 1569, and thence made his way to Dumbarton Castle to obtain, as he hoped, possession of that stronghold. Disappointed in this, he made for Stirling, where he remained till the day before his death.³

We have seen that the Church was willing to share the thirds of benefices with the government, and it is very unfortunate that the accounts of the Collector General from 1569 to 1572 are wanting. Those of the sub-collector for Forfar and Kincardine, however, are available for the year 1569, and it is evident from them that the willingness of the ministry to assist Moray was no empty favour, for very few of the

1. Cald., II, 502.

2. Biog. Coll., I, 26-27.

3. Cald., II, 510.

stipendiaries were paid in full in respect of that year's crop. For example, William Christison of Dundee got only 114 lib. out of a nominal salary of 133 lib. 6s. 8d., and John Hepburn received 150 lib. instead of 200 lib.¹. Yet both had been paid in full in the previous year. Again, James Erskine at Logymontrose was paid only half of his stipend of 50 lib.². The alliance of the national government and the reformed Church imposed obligations on both parties. Under these circumstances the payment of the superintendent's full allowance of wheat³ and of bere⁴, together with an unreduced salary of 466 lib. 13s. 4d.⁵, is certainly remarkable. It is perhaps impossible to banish all suspicion that Erskine's charity was of the familiar type which begins at home, but his receipt of payment in full when others had to go short may have been a method of asserting the importance which he attached to his office. If so, the excuse already made for him that his liberality, if any, would have no place in official records affords a possible explanation of his apparently complete immunity from charges of self-seeking at the instance of his ministerial brethren. And again, it is to be recalled that he had expenses to meet which parish ministers escaped. For instance, on 1 August, 1569, it was ordained by the regent that, as one of the assessors of damage done by Huntly, Erskine should be in Aberdeen on the twentieth of the month with his colleagues to hear Huntly's defence and give decisions regarding the complaints lodged⁶; in November, he represented Montrose at a Parliament in Edinburgh⁷; and it was part of his ecclesiastical duty to travel to and fro continually on the business of his diocese and of the Church, in which journeys the hospitality of friends cannot have freed him from all expense. In addition, we have the testimony of James Mel-

1. Sub-Collector's Accounts, 1569, f. 94a.

2. Ibid., f. 94b.

3. Ibid., f. 84a.

4. Ibid., f. 86a.

5. Ibid., f. 96b.

6. R.P.C., II, 9.

7. A.P.S., III, 57.

ville that Erskine was not unacquainted with practical charity. From 1569 to 1571 the diarist was taught in Montrose by Andrew Milne¹, who was later the minister of Fetteresso². "The Lard of Done" says Melville, "dwelt oft in the town, and of his charitie interteined a blind man, wha haid a singular guid voice" and by his patron's instructions taught Melville and his fellow-pupils the singing of the metrical Psalms³. Whatever may have been Erskine's musical tastes, Melville at least seems to have acquired a fondness for vocal music which one associates rather with Tudor England than with Presbyterian Scotland, and to the laird belongs the credit of having, for the second time, amplified the educational programme of Montrose; and in both instances we find evidence that Erskine had derived intellectual enrichment from his visits to the Continent^{or his travels through England} at a period when the force of tradition had been expended and novelty was no longer feared.

The assassination of the regent Moray had so disturbing an effect upon the country generally that for five months the administration lacked an executive head. The late regent's ecclesiastical allies were daunted. Only four of them put in an appearance at Stirling on 25 February, 1559-60⁴, when a meeting of the General Assembly fell due, and an adjourned meeting began in the safer surroundings of Edinburgh on 1 March⁵. The members apparently acted on the assumption that their position was unaltered, if they can scarcely have considered it unalterable, for they decided that superintendents and commissioners should yearly fix the prices of victuals and notify the same to collectors in such quiet manner as appeared expedient⁶, and also "take particular assumpts of the thrids of all benefices not assumed"⁷, both of which instructions

1. Melville's Diary, 17.

2. Ibid., 19.

3. Ibid., 18.

4. Bk. Univ. Kirk, I, 156.

5. Ibid., 157.

6. Ibid., 161.

7. Ibid., 162.

were designed to secure that the available income should not be lessened by evasion of the law or lack of honesty on the part of the possessors of benefices. The Assembly also agreed that "during the king's will" the deductions made from the Third for the support of the king and for the regent's privy purse should be paid, the latter assignation amounting to five thousand merks¹. But if the ministers were obviously anxious to preserve their status quo, the party of the Hamiltons was busily scheming to secure a complete reversal of all the changes made since Mary's deposition, and their impetuous haste had led to a Scottish harrying of the north of England. The offended Elizabeth was the hope of the king's party in Scotland, and the fact that the earl of Westmorland and lord Dacres were associated with the Marian lords did nothing to temper her enmity against them. Accordingly in April and May, 1570, an English force ravaged the lands of the Border lairds who had dared to invade England under arms, and, augmented by the forces of the earl of Morton, destroyed Hamilton.

The Marian nobility, no longer divided according to religion, but bitterly hostile to the policy which, with popular backing, had placed an infant on the throne and given corresponding authority to a subject, issued proclamations early in May charging all good subjects to obey the lieutenants of Mary, and summoning a parliament to Linlithgow three weeks later². Morton and his allies appealed to Elizabeth, and, as it was to Morton alone that the Church mistakenly looked for the continuation of Moray's ecclesiastical policy, Erskine identified himself with that appeal³.

The destruction of Hamilton gave an advantage to the king's party, which elected Lennox to the office of lieutenant-general in June and to the regency in July, "the haill ministeris and superintendentis" consenting⁴. This step was

1. Cald., II, 535.

2. Ibid., 560.

3. State Papers, ed. Boyd, III, 158.

4. Diur. of Occ., 180.

followed up energetically, and in a quarter, where anti-Marian operations must have brought relief to the superintendent of Angus. Erskine was doubtless too old to fight himself, while his office might well have been a deterrent, but it is certain that he did his utmost to assist Morton, who was despatched against Brechin, where a garrison in Huntly's pay, numbering a hundred and sixty, was established¹. Nor was Huntly the only noble of Marian sympathies in the north, for Erskine's neighbour, the earl of Crawford, was one of his allies. But lord Innermeath, Erskine and many other lairds of the district were trusted by the regent to work for him², and, when Morton advanced to the attack of Brechin with eight hundred horse, his forces were raised to a total of seven thousand when "the gentlemen of the countrie about repaired to him". Brechin surrendered, and Huntly, trying in vain to recruit a force of men in the neighbourhood, fled to the north³, and on the probable ground that a defeated enemy should not be permitted to re-organise, Morton's force was kept for some time in Brechin; proclamation was made in Montrose, Arbroath and Forfar charging "all and sindry the inhabitaris of the cuntre thairabout to bring viueris" to his troops⁴, and Erskine was communicated with at the same time, probably in order that he might secure the assistance of the town of Montrose to that end⁵.

That the Protestant establishment was in danger must have been borne in upon the people of Scotland by the story of the arrival at Aberdeen in the month of August of a pinnace, bearing to Huntly and his allies a supply of hagbuts, pikes, armour and seven pieces of ordnance, and despatched by Alva, who was supposed to be lying in readiness in Flanders to ship an army to Scotland for the re-establishment of Mary and the

1. Cald., III, 7.

2. cf. L.H.T., MS. Vol. 1569-1571, f. 36a.

3. Cald., III, 8-9.

4. L.H.T., MS. Vol. 1569-1571, f. 39b.

5. Ibid., pp. 633, 634, where the Act of Admonition is

Catholic faith there¹. That some such project was entertained, the burgesses of Montrose can have had little doubt, for the Spanish envoys before their departure tried the depth of that harbour and others².

Meantime the General Assembly had met in Edinburgh on 5 July³, and that body appointed commissioners to interview the rebel lords and reconcile them to lawful obedience to the king, Erskine of Dun being detailed to reason with the earl of Crawford, lord Ogilvie and their friends⁴. Morton's success at Brechin was much more likely to be effective than the threat of excommunication which the superintendent was empowered to use. Whatever the cause, however, two months later Ogilvie was bent on reconciliation with the regent, and the laird of Dun and his relative, the earl of Mar, were approached by lord Home with the same end in view⁵. The Assembly also decided that, until its next meeting, a committee of twenty-six, equally representative of clergy and laity, Erskine being the first named, should attend the nobility of the king's party and watch over the interests of the Church⁶.

The troubles of the ministry were not the only concerns of John Erskine at this time, for his second surviving son, James, died before 18 September, 1570⁷. This son cannot have been the James Erskine who on 21 September, 1570, was presented to the living of Dun, vacant through the decease of Dame Euphemia Leslie, last prioress of Elcho⁸, and was collated eight days later by the superintendent⁹, for the laird on 18 Sept-

1. Diur. of Occ., 184.

2. Cald., III, 12. Calderwood says nothing of material assistance but mentions a promise of men and money, to be supplied by the pope, if the Roman Catholic religion were re-established.

3. Bk. Univ. Kirk, I, 175.

4. Ibid., 178.

5. State Papers, ed. Boyd, III, 348.

6. Bk. Univ. Kirk, I, 182.

7. Reg. Sec. Sig., XXXIX, f. 10a. * See Appendix H.

8. Ibid., f. 12b, and Register of Presentation to Benefices (Register House), I, f. 3b in the second numeration.

9. H.M.C., Fifth Report, Note on the Family of Erskine, by (Sir) William Fraser, pp. 633, 634, where the Act of Admission is given. This is also printed in the Reg. Episc. Brechin., II, 306.

ember paid forty pounds in respect of the feudal casualties of his late son's lands, presumably for the benefit of his grandson, Robert, the orphan son of James¹. The point is worth elucidating, for John Erskine is thus cleared of a possible charge of nepotism, when the temptation might readily have been present, for it is evident that he was in the confidence of the regent's advisers².

The conditions of civil war which obtained throughout Scotland during the winter of 1570-1571³, in spite of the nominal truce between the contending parties arranged in September, left the king's party with the advantage, for the castle of Paisley was lost to the Hamiltons, and, ere the winter was well past, that of Dumbarton was also taken. Against these successes, however, were to be set the accumulation of supplies in Edinburgh Castle, and the re-inforcement of its garrison, by Kirkcaldy of Grange⁴, who was to prove the chief support of the Marian lords in their opposition to Lennox and his successors, for while that stronghold was in the possession of the regent's enemies, the capital of Scotland was an unsafe centre for the administration. Yet it was in Edinburgh that the General Assembly met in March, 1570-71, though Lennox had requested its convention in Stirling or Glasgow: under the circumstances, the 'sundrie impediments' which prevented the members from agreeing to the change must have been numerous and important⁵. The Assembly calmly settled to its agenda, and Erskine, with Knox, Pont and Row, was given the task of drafting a memorandum on the jurisdiction of the Church, and he was also appointed to a commission of fifteen to lay before the regent and council the "articles, heeds, supplicatiouns and complaints delivered to them by the Kirk"⁶. The judicial province of the

1. Reg. Sec. Sig., XXXIX, f. 10a. See Appendix H.

2. cf. State Papers, ed. Boyd, III, 354, letter from Randolph to Sussex, of date 21 September.

3. cf. Diur. of Occ., 194 et seq..

4. Cald., III, 33.

5. Ibid..

6. Ibid., 38-39.

Church was reckoned to embrace doctrine, ordination and deposition of ministers and other officers, the supervision of ecclesiastical discipline "in correction of manners, admonitions, excommunications, and receaving to repentance", the decision of disputes between members of the Church, especially those relating to benefices, the excommunication of those who misappropriated the patrimony of the Kirk, and "becaus the conjunction of mariages perteaneth to the ministrie, the causes of adherence and divorcement ought also to pertaine to them, as naturally annexed thereto"¹. These findings were to be put before the regent for his approval, and in addition the deputation was to discuss with him and the council the invalidation of beneficial presentations disapproved by the Church, measures for enforcing the payment of the Third, the financial provisions for the king's and the regent's maintenance, and the disposal of any surplus of the Third in pios usus.²

That the Church should have so coolly propounded its demands at a time when the possibility of their ever being satisfied was of the **vaguest** is not without its comical side, but the men whose life-work was in danger can have experienced little temptation to regard anything but the stern realities of the situation.

The month of April, 1571, saw the end of the "Abstinence", and both parties appealed openly to war to settle the differences between them, Edinburgh and its neighbourhood constituting the principal battle-ground, where for twenty-eight weary months the struggle continued. Early in this month, there was apparently a meeting of superintendents at Stirling³, though the reason of their conference does not appear, and three weeks later Erskine received a communication⁴ relating, perhaps, to

1. Cald., III, 39-40.

2. Ibid., 40.41. At the last session of this Assembly there were present only eighteen representatives of the Church, together with the Kirk's solicitor and a clerk (Bannatyne's Memorials, 95-96).

3. L.H.T., MS. Vol. 1569-1571, f. 70a.

4. Ibid., f. 70b.

the Parliament which Lennox held in Edinburgh in May for the outlawry of Lethington and certain others¹. But Edinburgh was an uncomfortable place, with Grange and Maitland dominating it, and the next meeting of Parliament was fixed for August at Stirling². In that month and in that town the General Assembly met³. John Knox was too feeble to attend, but from St. Andrews he sent to the brethren a letter⁴ in which he eloquently urged them to remember the Judge to Whom they must account and to resist the merciless devourers of the patrimony of the Kirk; advice which the Assembly counted good but was to find difficulty in putting into practice, for of their own apparent friends, whose number was increased at this time by the accession of Argyll, Eglinton, Crawford and other nobles⁵, Morton was to prove as rapacious as any opponent, and his new allies were like-minded with himself, for "thair wes nane that wes brocht wnder the kingis obedience bot for reward aither givin or promised"⁶. It is probable that Erskine remained in, or revisited, Stirling for the Parliament which met on 28 August; at all events, the commissioner of the burgh of Montrose was present two days later⁷. If he was present on the last day of August, either as a burgh representative or as a commissioner to lay before Parliament the requests of the Church, he must have experienced the keenest disappointment when Morton and his new-found friends insultingly rejected the Assembly's petitions that benefices should be conferred only upon persons whose fitness to minister was certified by the Church, and that manse and glebes should be reserved to the ministry⁸. True, the regent was on the side of the ministers⁹, but Morton was

1. Cald., III, 78.

2. Ibid..

3. 6 August, 1571. Bk. Univ. Kirk, I, 198: Cald., III, 132.

4. Cald., III, 133-134.

5. Ibid., 135.

6. Diur. of Occ., 238.

7. Ibid., 245.

8. Cald., III, 137.

9. Ibid., 138.

the real leader of the party, a man destitute of those moral qualities which alone command general affection, and the regent was to die only four days later from a wound received in the streets of Stirling during a descent upon the town by a force despatched from Edinburgh.

The death of Lennox, ineffective but friendly, and the ascendancy of Morton, must have made the ecclesiastical outlook seem black to the superintendent of Angus. For half a generation he had laboured unremittingly for the establishment of the reformed Church of Scotland. At the age of sixty-one, his nature less resilient under trial, his spirit more apt to sink, disillusionment as to the future was added to the weariness of unceasing effort and advancing years. Under the greater part of the emoluments while they enjoyed on a slender salary the titular eminence. The finances of the country were, it is true, "altogether in confusion"¹, but Morton's device of restoring the episcopate was designed not only to facilitate the struggle against Kirkcaldy of Grange but also to produce direct gain for himself and his friends.

The financial position of the government was no doubt desperate. The funds at its disposal grew ever more inadequate. England stood aloof from the struggle. The clamant need of the head of the state was money wherewith to reduce Edinburgh Castle and establish the authority of the young king. In view of the fact that the majority of the Scottish nobility was arrayed against him, the regent was bound to find himself overwhelmingly tempted to supplement his means from ecclesiastical sources, and in any case at his elbow was Morton, ^{restlessly} ~~anxiously~~ anxious both on public and on private grounds to seize the wealth of the Church, whether in the hands of the old possessors or allotted to the reformed ministry.

If Erskine was present at the council at Stirling which

CHAPTER IX. The Regency of Mar.

The period of Mar's regency was to hold many disappointments for Erskine of Dun. Trouble had been in prospect for the Church since the publication of Morton's scheme to revive the ecclesiastical dignities of the Catholic Church with the important reservation that the wealth pertaining to these offices of old should be diverted into the hands of the laity, ministerial poverty leading Morton to believe, as indeed the event proved, that incumbents could be found willing to surrender the greater part of the emoluments while they enjoyed on a slender salary the titular eminence. The finances of the country were, it is true, "altogidder in confusioun"¹, but Morton's device of restoring the episcopate was designed not only to facilitate the struggle against Kirkcaldy of Grange but also to produce direct gain for himself and his friends.

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If Erskine was present at the parliament in Stirling which

1. A.P.S., III, 66.

elected Mar to the regency, he doubtless used all his influence to exclude Morton from that position. Yet he cannot have been sanguine that his kinsman's elevation would confer many benefits on the Church. True, Mar was less likely than Morton to prove inconsiderately hostile to the Kirk, and the Superintendent might hope to have the ear of the head of his house, with results impossible if his rival were head of the administration. But Mar's extensive possession of ecclesiastical lands was not calculated to make him the supporter of the Reformed Church that Moray had been, and the clergy were likely to be ground between the upper and nether mill-stones of Marian hostility in the north¹ and the selfishness of the nobles wherever it could be exercised.

The policy which procured the elevation of John Douglas to the archbishopric of St. Andrews was further exemplified by the enactment of the parliament of 1571 that on the death of priors or prioresses of the old order lands held of them in feu should continue in the heritable possession of the grantees on direct tenure from the crown². Again, early in September, Archibald Douglas, who had been presented to the parsonage of Glasgow by the regent, complained to the Privy Council that the Church had refused to receive him except on condition that he should be removable at the will of the church courts and should be resident in his parish. The complainer urged that his position as a Senator of the College of Justice made these conditions impossible, while he was prepared to appoint and remunerate a deputy. The Council held that the refusal of the Church to admit the presentee was invalid and that his presentation was "als lauchfull and sufficient in the self as gif he had bene admittit and ressavit thairto be the commissioner of Glasgow be his letters of collatioun"³.

1. Cald., III, 166.

2. A.P.S., III, 59.

3. R.P.C., II, 79-80.

About this time written representation was made by certain gentlemen to the regent and Council protesting against the treatment to which the Church was being submitted¹. No readier way, they contended, could be found for the destruction of religion than "to famishe the ministers present, and tyrannicallie so to impyre above the poore flocke, that the kirk sall be compelled to admitt dumbe dogges to the office, dignitie, and rents appointed for sustentation of preaching pastors, and for other godlie uses". They grieved to see both the regent and the nobility united in this regrettable course, and to the greed and injustice of courtly self-seekers was to be ascribed the abject misery of the poor ministers and their families, defrauded of their lawful sustentation from the Thirds of Benefices. While earls and lords became bishops and abbots, benefices which demanded learned preachers were filled by laymen, minors and irresponsible persons. When such enormities were fostered, what hope could the petitioners have that the Church of Scotland might be preserved?

On 5 November the Privy Council summoned the superintendents to Leith that order might be taken for the "reducing of thingis disorderit to a perfite rule and uniformitie", complaint having been made that the collectors had failed not only to pay the stipends of ministers but also to provide the agreed sums for the support of the king and the regent. These collectors were required to appear in Leith to give evidence, and meantime the country was enjoined to make no further payment to them pending a decision of the Privy Council regarding their future activities². The decree was believed to have been inspired by Morton³, whose archiepiscopal nominee had been refused support out of the Thirds on the ground that his appointment had not received ecclesiastical confirmation. In any event, however, the disturbed state of the country must have

1. Cald., III, 144-146.

2. R.P.C., II, 91.

3. Bannatyne's Memorials, 197.

rendered the collection of the Thirds singularly uncertain. As to the motive behind the order there can be no doubt. The case of Douglas in Glasgow proves the government's desire to make the wealth of the Church available for the payment of state officials, and it was a short step to the enrichment of persons with neither administrative nor ecclesiastical claims to reward, if the Kirk's collectors could be replaced by others rendering no account to the courts of the Church.

The step which the regent had taken elicited the strongest protest from Erskine of Dun, of whose views at this time we have ample evidence in the two letters which he sent to Mar and in another despatched to an unknown correspondent. The first of his letters to the regent is dated from Montrose 10 November, 1571¹, and protests, in reply to a communication which Erskine had apparently received from Mar, that little difficulty would be found in meeting from the Thirds the agreed claims of the state. Touching the matter of benefices, Erskine maintained that tithes, being the fruit of the people's labour, were the inalienable possession of those who were the spiritual pastors of the people, and the Church, having the sole power to appoint ministers, had the sole right to intromit with the teinds. Bishops or superintendents were the officers appointed by Scriptural injunction to oversee with due care the recruiting of the ministry, and to take from a bishop or superintendent the power of admission to the pastoral office was to abrogate the jurisdiction which God had given to the Church. It was true that the civil magistrate had power and authority sanctioned by the Almighty, but there were bounds to his office, and no prince could more seriously offend against God than by his own authority to appoint to spiritual dignities. It was not contemplated that the privilege of the Church should

1. The letters are given in Bannatyne's Memorials, 197-206, and in Cald., III, 156-165.

encroach upon lay rights of patronage, but it was essential that the faithful should be protected against the intrusion of unfit presentees, a claim which the Church had never forsaken. The superintendent further denied that the ministry had been actuated by motives of greed, and he asserted that, if the nobility had been as free from avarice as the ministers of the Kirk, the demands of the latter would long ago have been granted. Apparently the crux of the matter lay in the unwillingness of the nobles to see the wealth of the great benefices distributed to the numerous incumbents of parishes united in time past to bishoprics and other ecclesiastical fiefs, the "dismemberment" of which the nobles resented. If this disjunction, continued Erskine, proved impossible because of the troubled state of the country, at least from the rents of such lucrative possessions reasonable sustentation should be provided for those actually ministering to the spiritual needs of the people, the surplus alone going to the support of the state. The Church, Erskine contended, was not striving after wordly profit but for spiritual liberty, the denial of which would turn it against those who sought merely their own gain. Protestant belief had been condemned of old by Catholics as heresy: it was now condemned as treason by the nobility.

It had apparently been suggested that the abolition of superintendents would release a certain amount of money for civil purposes, and Erskine had been consulted as to the need for continuing superintendents where bishops should be appointed. His decision followed the line of his argument, for he maintained that a bishop appointed otherwise than by the Church was not competently called, whereas a superintendent, placed by the authority of the Kirk, had alone the jurisdiction of an office the holder of which might be termed indifferently a bishop or a superintendent. Existing superintendents lost none of their rights by reason of any recent episcopal appointment, and he protested against the parliamentary restoration of an epis-

copate and the threats which clerical protests had evoked, asserting his conviction that, however the Kirk in its weakness and poverty might be robbed for the benefit of the temporal authority, the unrighteous spoliation would only postpone the pacification of the country without endangering the existence of the Church. And he concluded with the admonition, "Be wise, O yee kings; be learned, yee that are judges of the earth. Serve the Lord with feare, and rejoyce before him with reverence." Before the regent had time to reply Erskine despatched another letter four days later from Perth, whither he had gone for the meeting of his synodal Assembly. This second letter was a reply to a notification of the proposed convention of superintendents in Leith and the suspension of the collectors. Erskine protested against that suspension, the first of its kind, and pointed out that the ministers had been convicted of no crime, though the Church was held in so low esteem that unfair treatment of it was in popular opinion impossible, and benefices were given and bishops appointed at the pleasure of men without consent of the Kirk. The ingathering of the regent's allowance, he repeated, might have been secured very easily, but evidently the intention was "to bring the kirke vnder slaverie and vile subjectione". In the circumstances he could see no good result to be obtained from the convention of superintendents in Leith for their arguments would be cut short and their counsel refused as in time past. And that Erskine had real doubt of the wisdom of journeying to Leith is apparent from his announcement that he had requested Winram, superintendent of Fife, not to leave St. Andrews till he himself should arrive there and learn whether or not the regent was willing to recall his letters of inhibition.

On 15 November the earl of Mar replied to both of Erskine's letters. His communication¹ contained the assurance that his

1. Calderwood, III, 163-165.

motive had been the settlement of controversy, the ease and repose of the Church, and his own relief from a "fasheous" burden. He deplored the misunderstanding of his intentions, and ascribed Erskine's opposition to other reasons than the Superintendent's own good-nature, being convinced that a conference between them would have cleared up any difficulties. That all occasion of complaint might be removed, however, a discharge of the late inhibition accompanied the letter¹, and the writer undertook that as in the past he had lived honourably on his own so he would forbear in the future to lodge claims against the collectors until the matter should receive due consideration. Yet these collectors, he reminded Erskine, were subjects of the king, and as such it befitted them to appear when called upon and not write, as apparently they had done, in contempt of the order. The regent insisted that his purpose was merely the collection of that which, though assigned to his predecessors, had not been forthcoming. He regretted that his purpose had been so misjudged. According to his diagnosis, the evils from which the country suffered were an imperfect ecclesiastical organisation and the increase of corruption, the ministry being no more free from the fault of covetousness than the nobility. A reasonable spirit of mutual accommodation as between Church and Government had been the hope animating the earl, who, if the superintendents should refuse to consult with him, would be compelled to remit the matter to a convention of the estates, and leave it to the people of Scotland, indeed to the godly of all Christendom, to judge if he had not sought the satisfaction of the Church. The letter concluded with the intimation that, if Erskine's protest represented only his own views, it could be answered - presumably in friendly conference; but if it represented the deliberate opinion of those high in

1. cf. the decree of the Privy Council of 16 November, 1571, suspending the inhibition (R.P.C., II, 96-97).

ecclesiastical authority, then time and place would be found that they might be "otherwise answered".

Mar's letter, moderate in tone and reasonable in argument, apart from the implied threat in its conclusion, was obviously intended to bring Erskine, if not to an agreeable, at least to an accommodating, frame of mind. The trouble was that a man like Erskine naturally looked to the effective establishment of the Church as the nation's safeguard, while Mar and Morton, private selfishness apart, regarded the attainment of domestic peace as the country's primary need in time and in importance, and Morton at least conceived that Anglo-Scottish union would be facilitated if the Scottish ecclesiastical settlement approximated to that of England. But Mar was evidently hopeful that Erskine's support could be secured for the ameliorative schemes which commended themselves to a bankrupt executive. In any case, on 2 December, Erskine attended a meeting of the Privy Council in Leith¹, and it was probably then that the regent, having so far met the wishes of his relative, induced him to write to the superintendents and certain commissioners of provinces to convene for the solution of the problems in which Church and state had a joint interest². In the second week of December the regent had conversations with these ecclesiastical officials in regard to the points at issue, but a definite decision was postponed till such time as a more representative gathering should assemble to express the will of the Church as a whole³.

At this time Erskine wrote a lengthy letter to an unspecified correspondent in which he treats "Of the Kirk of God"⁴. It is evident from this deliberate statement of Erskine's opinion in regard to the position of the Church and the gravity of

1. R.P.C., II, 98.

2. Bannatyne's Memorials, 213.

3. Ibid., 208; letter of 14 December from Alexander Hay to Morton, pp. 207-210. See also Cald., III, 165.

4. Dated 13 December, 1571; Sp. Misc., IV, 92-101.

the dangers threatening it, that any arguments which Mar had advanced in favour of a reconstruction of ecclesiastical organisation had not convinced the superintendent of Angus that any motive higher than robbery lay behind the suggested changes. The sustentation of the ministry, Erskine argued, was required of faithful members of the Church in order that pastors might show that hospitality which the New Testament enjoined upon them; and how careful past ages had been to discharge that duty was evident from the endowments granted to the Church by princes and others. At the time of writing, however, the nobles greatest in dignity, most richly endowed, and called by God to the highest honours, were blinded by avarice, and ceased not to "draw to thame selfis the possessiones of the kirk". And yet to excuse their wrongdoing and "colour thair iniquitie" these spoilers proclaimed themselves to be of the Kirk, denying to those who bore office in it any superior claims to its endowments. Humbly to profess oneself a member of God's Church was commendable, but to do so in cynical contempt of those who had the spiritual care thereof was "maist damnabill", and to take from the ministry what was appointed for its sustentation was to seek its destruction. Miserable was the state of the time when men, "contemning all godlie counsall, [would] mak of bairnis, ignorantis, and witious personis, pastouris nocht onlie of ane kirk but of mony, for na respect [was] haid to the edificati-
one and proffeit of the people, bot to the rent and proffeit of the benefice", a policy whereby the people were injured and God was dishonoured. Finally, though the teaching of the Bible and the practice of the primitive Church had been so far forsaken that the right of presentation to benefices had been surrendered to lay patrons, persons so appointed must submit themselves to public trial that their fitness to minister might be ascertained, which custom the Church desired that "the prince, the maiestratis, and all people wald admit and authorise, and nocht repyne aganis the samin".

Such were the views of John Erskine in the middle of December, 1571, and yet a month later he was to be an accessory, however unconvinced, to the plans of Morton and Mar. Calderwood's view that the superintendent, a man "too tractable", might be induced to agreement by the regent's solicitation¹ is open to the objection that, if Erskine was not very sound, from the later Presbyterian standpoint, on the difference between his own office and that of a bishop, he was at least firmly convinced that the spoliation of the rightful patrimony of the Kirk was the end in view. And this is also a reply to the argument that the Church was persuaded to accept the suggested changes by the hope that more adequate financial provision would be made for its needs. The explanation is rather to be found in the implied threat which closed Mar's letter of 15 November, that, if the Church refused its assent to the proposals of the Privy Council, it would find itself without even that provision which it had steadily condemned as insufficient. To supplement surmise, we have definite proof that, however docile the ministers appear to have been in accepting the scheme presented to them, they cordially distrusted its promoters. David Fergusson, the minister of Dunfermline, preached a sermon before the regent and the nobility in the kirk of Leith on 13 January, 1571-72². That sermon was afterwards printed on the instruction of the General Assembly after revision and approval by Erskine of Dun, Douglas of St. Andrews, Winram, Knox and Christison. Its argument was that the ministry, the schools, the poor, and church fabrics should be supported out of the teinds. But the teinds were a booty for impious nobles. "Quhat then is to be done bot that the Preicheris of Goddis word be ressonabillie sustenit, seing that thair is aneuch and ouer mekle to do it; the schuillis and the pure be weill pro-

1. Cald., VIII, Appendix, 26.

2. Tracts by David Fergusson, Minister of Dunfermline, ed. Lee, (Bannatyne Club), Edinburgh, 1860; pp. 55-80.

uydit as thay aucht; and the Tempilis honestly and reuerently repairit, that the pepill, without injurie of wynd or wedder, may sit and heir Goddis word, and participat of his haly Sacramentis?"¹ Fergusson's frankness must have been galling to the courtiers who regarded ecclesiastical endowments as a free financial quarry, and there is no suggestion that the Church was grateful with a lively sense of favours to come. When Knox appended his signature to the revised sermon in August, 1572, in approval of its tenour, he did so with "dead hand but glaid heart, praising God that of his mercy he leuis suche light to his Kirk in this desolatioun", and Erskine's endorsement of the views expressed may be presumed to have been equally genuine.

It may occur to the reader, however, that the laird's consent to the proposed appropriation in aid of the state was possibly secured by improper means of a less creditable kind.

There is little doubt that bribery was attempted in one case at least: Robert Pont, who was debarred from discharging his duties as commissioner of Murray by the disturbed state of the north, was elevated to the judicial bench at this time², and on 27 January, 1571-72, he was presented to the Provostry of Trinity College, Edinburgh³: yet Pont was one of the ecclesiastical negotiators nominated to confer with the regent's representatives⁴. As it happens, there is a recorded payment of 666lib.13s.4d. to Erskine in the year 1571⁵ under the head of "the assignationis maid be vmquhile James erle of murray".

There is nothing to show why these assignations were made in the first instance, or why the Treasurer paid them in 1571, when the national finances were ill calculated to stand the

1. Tracts by David Fergusson, Minister of Dunfermline, ed. Lee, (Bannatyne Club), Edinburgh, 1860; p. 76. To bring the punctuation into line with present practice, the question mark has been moved from its place after the sixth word of the quotation to the end of the sentence. No other change has been made.

2. Cald., III, 169.

3. Register of Presentation to Benefices, II, f. 11a in the third section of numberings: see also Wodrow, Biog Coll., I, 508-509.

4. Cald., III, 171.

5. L.H.T., MS. Vol. 1569-1571, f. 79b.

strain of avoidable payments; nor ^{do} we know to what month of the year the payment belonged. There are three possible explanations. Either the money was paid as a bribe, or it was a normal discharge against a valid claim, or else, if the second hypothesis be the true one, the occasion of payment may have been chosen with ulterior motives. If a bribe, there can have been little chance of keeping the matter secret, and Erskine's later position in the Church and the esteem in which he was held are strong arguments against his having yielded to corruption. If a normal payment, it probably was made early in the year and had no connection with the events of December, 1571. One possibility remains: the money was doubtless due to Erskine, but if unpaid before the month of November¹ it was probably forthcoming in order that the recipient might be convinced that he had judged too harshly the acquisitive purposes of Morton and his allies. In the absence of any hint as to the exact date of payment, there the matter must rest, but it is reasonably certain that Erskine was not won over to Morton's scheme by patent and recognised bribery. The whole business is obscure, but the probability is that the Church was induced to agree to the government's suggestions mainly by the dread that a worse fate might overtake it. After all, the fortunes of the king's party and the future of the Church were bound up together, and the support of Morton was indispensable to regent and clergy alike.

A convention of the Church met in Leith on 12 January, 1571-72, attended by sixty-two superintendents, commissioners, ministers and burgh representatives². The members from the west, on the ground that the discomforts and dangers of travel would not permit them to return for the Assembly appointed to meet at St. Andrews on 6 March, desired that the convention should rank

1. The year continued, of course, till 24 March, 1571-72.

2. Bk. Univ. Kirk, I, 203.

as a General Assembly, and this was agreed to¹. Erskine, Winram, Pont, Craig and four others were chosen on 15 January to lay before the regent or an ad hoc committee of the Privy Council the grievances and claims of the Church, with power to determine, in conference with the Council's delegates, the future relations of Church and state². The following day the regent announced the names of his representatives, and Morton's was the first³. The deliberations of the joint committee took no long time, for Morton's scheme was cut and dry, and on 1 February the findings were approved by the regent⁴. These findings⁵ need not be recited at length. Episcopacy was re-established, the election of archbishops and bishops to be carried through by the chapter on a royal presentation. But the new dignitaries were to have no wider jurisdiction than was enjoyed by superintendents, and they were to be subject to the General Assembly in spiritualibus as to the king in temporalibus. Abbacies and priories were to be filled on the collation of bishops or superintendents, but no attached vicarage was to be destitute of a serving incumbent. Lay patrons were to enjoy their rights undiminished, but benefices of cure under prelaties were to be filled only by qualified persons, though, if the value of such a benefice did not exceed forty pounds, it might be conferred on a reader. Subscription of the Confession of Faith was obligatory on all ministers and possessors of ecclesiastical offices. The thirds were to be scrupulously exacted by state officials, and those exempt from payment of the third were to remunerate the ministers serving the churches of their prelaty at a rate to be fixed by the respective representatives of the Privy Council and the Church. The stipends of poor parishes were to be supplemented from the revenues of richer ones. Provostries, prebends and chaplainries

1. Bannatyne's Memorials, 217.

2. Cald., III, 171-172.

3. Ibid., 170.

4. Ibid., 196.

5. Ibid., 172-196.

were to provide increased educational opportunities, and out of their assignments future entrants into ecclesiastical office were to grant a tenth toward the support of the poor. Finally, on ordination by a bishop or superintendent, ministers were to take an oath acknowledging the king's authority and promising obedience to their ordinary.

According to Wodrow¹, Erskine and Spottiswoode might have been the archbishops under this new ecclesiastical policy, and there is certainly a temptation to believe that Erskine at least might have obtained from the regent a position of titular pre-eminence in the Church. He probably had little, if any, objection to episcopacy as such: his letter to Mar of the previous November certainly betrays no marked hostility to the revival of an ecclesiastical aristocracy. But the restoration of the lost dignities had one purpose behind it, and of the nobility "euerie ane was hounting for a fatt kirk leiving, quhilk gart them fecht the fastar" to hasten their participation in the fruits of those dignities².

It is not easy to assess the actual financial gain which resulted to the Church from the change of polity, since the numbers of the ministry were on the increase in the early years of its existence. The Register of the Thirds is not available for this period till the year 1573, but it is difficult to believe that the commissioners of the Kirk would have consented to the allocation of 3631 lib.3s.5d. for the support of the royal establishment, and of 5000 merks for the support of the regent, with further grants in money and victual toward his expenses³, unless they had been assured of adequate provision for themselves. In any case, it will be found that certain benefits did accrue to the ministry, to education, and to the poor from the altered system. On material grounds the Church might have welcomed the new régime. But ideally it was open to the

1. Biog. Coll., 80.

2. Melville's Diary, 24-25.

3. R.P.C., II, 112-113.

radical objections, first, that the re-introduction of episcopacy, in however modified a degree, was the thin end of the wedge of state control, and second, that the underlying motives were too sordid to warrant the belief that that wedge would not be driven deeper into the structure of the Church of Scotland. It is really idle to stigmatise the ministry as ungrateful and selfish for opposing the change that brought them benefit. It is evident from David Fergusson's sermon that they no longer claimed the whole wealth of the Catholic establishment. It was not their increased remuneration that the ministers condemned. Their devotion to pastoral duty during years of financial adversity is a sufficient answer to many of the charges levelled against them. But they bitterly resented even the partial loss of that ecclesiastical freedom which was more to them than gold.

The Assembly of March, 1571-72, betrayed its jealousy for the liberty of the Kirk by deciding that Erskine, Winram and Spottiswoode should continue in the office of superintendent without being subject to archiepiscopal jurisdiction except so far as the archbishop's province embraced their dioceses¹. But Erskine had other worries than doubt as to his ecclesiastical future, for the Marian lords were harassing the king's government with no small success. Adam Gordon, brother of the earl of Huntly, and a man whose chivalrous conduct made him remarkable in his time², inflicted a severe defeat on Crawford and other lords at Brechin, where by the instructions of the Privy Council³ they were collecting forces for an attack upon this successful leader, who had reduced the whole country north of the Dee to Marian obedience⁴. Gordon then proceeded to Montrose, which he compelled to pay two thousand pounds and two tuns of wine, and in his triumphal progress the laird of Dun's

1. Bannatyne's Memorials, 228; Bk. Univ. Kirk, I, 242.

2. cf. Diur. of Occ., 304.

3. R.P.C., II, 143-144.

4. Spottiswoode, II, 175.

house provided him with further booty¹. Meanwhile the castle of Edinburgh was still untaken, though, as a result of the intervention of France and England, the hostile parties agreed to an Abstinence², to run for two months from 1 August, later prolonged till the end of December. But on 24 August, 1572, was perpetrated the Massacre of St. Bartholomew, the news of which filled Protestant hearts with horror and dealt a fatal blow to Mary Stewart's hopes in Scotland by drawing to the side of her opponents those who had been lukewarm or indifferent. Before that crime turned the scales completely in Protestant favour, a General Assembly met in Perth on 6 August under the moderatorship of Erskine of Dun³.

The proceedings of that Assembly were evidently expected to prove disorderly, the decisions of Leith presumably disposing the members to a vocal ebullience commensurate with their annoyance, for it was enacted that "no person, of what estat soever he be, tak in hand to speeke without licence asked and granted by the Moderator; and, after licence obtained, that the persons speeke and keepe moderatioun in reasouning and answering, and also keepe silence when he sall be commanded by the said Moderator, under the paine of removing out of the Assemblie, and not reentring therein during that conventioun"⁴. On August 8 a committee of thirteen, which included Erskine, assembled to consider what alterations were required in the decisions arrived at in the previous January by the Privy Council and the commissioners of the Kirk. The resultant report⁵, which was approved by the Assembly, expressed not only the will of that body as a whole but also the decision of those who had acted as representatives of the Church at the hasty drafting of the Articles of Leith. It recommended that these Articles should be accepted only as a temporary order, and the right of the Church to press

1. For. Cal. Eliz., 1572-1574, p. 143, letter from Drury to Burghley.

2. R. P. C., II, 158-160.

3. Cald., III, 219.

4. Ibid., 219-220, and Row, 46.

5. Cald., III, 220-221.

for their amendment was affirmed. The members were not enamoured of the revival of hierarchical titles, and the committee advised that ⁴an inquiry should be instituted into the function and the designation of the holders¹. The only title of dignity to which no objection seems to have been taken was that of Bishop, and from this exception we may perhaps infer that his experiences as a director of Scotland's ecclesiastical fortunes since 1560 had persuaded the Moderator that permanent clerical supervision would be a gain to the Church. But in any case, if John Knox saw nothing unscriptural in an episcopate², it is hardly to be supposed that his friend, the superintendent of Angus, on whom it is probable that strong Lutheran influences had had their effect, would find the institution objectionable. That there was complete unanimity of opinion between Knox and his brethren in the year of the former's death may be judged from the conference which he had with "tuo deir bretherin", Winram and Pont³, that conference yielding a series of findings which the Assembly approved in a letter signed by Erskine, Row, Spottiswoode and four others⁴. It is likely that, had Knox lived a few years longer, the unanimity would have persisted, though it would almost certainly have been in opposition to the policy which intruded unfit bishops on a Church previously willing to accept episcopacy under proper safeguards of its own rights.

When the news of the Massacre of St. Bartholomew reached Scotland, Protestant alarm was general and profound. A gathering of barons, gentlemen and other members of the Kirk appealed to the regent to take such steps as would ensure the protection of the country from "the grit murtheris and mair then beistlie crewelteis usit and put in executioun in diverse partis of Europe aganis the trew Christianis within the same, pro-

1. Cald., III, 221-222.

2. Bannatyne's Memorials, 250-251; Hume Brown's Knox, I, 92-93, and II, 278.

3. Bannatyne's Memorials, 250.

4. Ibid., 250-252. The other four were Winram, Lindsay, Pont and the

ceidit na doubt out of that unhappy devillishe and terrible Counsall of Trent", and a convention was proclaimed to meet in Edinburgh on 20 October¹. The attendance was small, but the uprooting of heresy at home was demanded, as well as an alliance with England and other Protestant countries "in mutual amitie and societie to support everie one another, wheresoever time and occasioun sall serve, for mainteaning religioun, and resisting the enemeis therof"². But before the end of the month the Regent Mar was dead, and if the continued existence of Scottish Protestantism was assured by the election of Morton to succeed him, yet the Church of Scotland had little reason to rejoice in his elevation. But in this time of doubt and anxiety Erskine of Dun was visited by other troubles, for within nine days he lost his wife³ and his friend, John Knox⁴. Erskine's bereavement sufficiently explains his absence from Knox's deathbed, where the reformer was visited by many of the Protestant leaders, and, if there be any truth in the stories of natural phenomena observed in the neighbourhood of Montrose about this time, when the sea receded for a space, a hill burst into flame, and a mighty wind blew with such exceeding force as to drive into the sea the sheep that grazed on the links by the shore⁵, the laird of Dun may be pardoned if he saw in these prodigies a supernatural advertisement of his own and his country's affliction.

bishop of Caithness.

1. R.P.C., II, 168.

2. Cald., III, 227-230.

3. 15 November, 1572; Sp. Misc., IV, lxxvii.

4. 24 November, 1572; Diur. of Occ., 320; Bannatyne's Memorials, 281.

5. Bannatyne's Memorials, 279; Diur. of Occ., 321.

CHAPTER X. The Regency of Morton.
1572 - 1578.

With the election of Morton to the office of regent Scotland entered upon a period of her history in which prosperity and discontent were strangely mingled. Convinced that only by a despotism could the king's enemies be rendered harmless, bent upon establishing an orderly and efficient government, Morton certainly achieved his aim with astonishing success. Yet in doing so he manifested the vice of unscrupulous avarice, and alienated the clergy by his insistence on raising the State above the Church; religion might serve to keep men in the path of duty, but if the same end could be secured by civil restraint, the Church ceased to be a support, and was fit only to be the servant, of the State. The rapacity which he exhibited toward the ancient endowments of the Church was visited also upon the middle classes, and it was an easy matter to find causes of offence in the changing allegiance which the political exigencies of the time had forced upon numerous merchants and traders in the capital and elsewhere. Nevertheless, Morton did restore, partly by his own efforts and in part by English help, the tranquillity of which the country stood so sorely in need, and Killigrew, Elizabeth's representative, testified to the prosperity of the people under Morton's rule and to the expansion of trade, domestic and foreign, while the same acute observer, in words frequently quoted, reported the decay of the nobles and the rise to power of the country gentry and the merchant classes as the coincident phenomena of Scottish political and economic life.

The first claim upon Morton's energies was obviously the reduction of the Castilians, as Kirkcaldy and Maitland were

called. To that end it was necessary, first, to secure the adherence to the king's party of those Marian nobles whose loyalty to the government was still lukewarm, and, second, to enlist the assistance of England with her superior resources, military and financial. The Pacification of Perth¹ left the Castilians entirely dependent on their own efforts, for outside the walls of Edinburgh Castle they could hope for no support, moral or material. The help which they had expected from France was denied them when Verac was driven by stress of weather into Scarborough, and the brother of the laird of Grange was treacherously taken in Blackness Castle. But to obtain from Elizabeth the assistance without which the castle of Edinburgh could be taken only by starvation was another matter. The natural parsimony of the English queen and her fear of provoking war with France made her hesitate to give open aid to Morton, and it was precisely her miserly disposition on which the Castilians reckoned to keep them safe behind their walls. But Killigrew's despatches convinced Elizabeth that, if she remained inactive, the designs of France were more dangerous than French hostility, should she intervene. By the middle of April, 1573, the terms on which her forces should aid the regent and his party were drawn up. The stipulations betray how ineradicable was Scottish distrust of alien assistance, for beyond promising to assist the English force to the utmost of their power against the castle, the Scots drove a one-sided bargain of which the proximate advantages were clearly reserved to themselves alone². Before the end of April the English army entered Edinburgh, the siege-train arriving by sea, and gun-emplacements were constructed at various vantage-points. Fire was opened on 17 May and continued for ten days, when the damage to the fortifications was so extensive and the plight of the

1. 23 February, 1571-72 — R.P.C., II, 193-200.

2. R.P.C., II, 213-215.

garrison so desperate that negotiations were opened for the Castilians' surrender. Grange and Lethington speedily learned that they had nothing to hope from Morton, but their men refused to continue the struggle when their own immunity was guaranteed, and before the end of the month the fortress which barred the way to Scottish peace surrendered to the English commander. Lethington died in captivity but by Elizabeth's instructions the remaining prisoners were handed over to Morton, and in August Kirkcaldy, a man misguided and mistaken, met a traitor's death.

With the fall of Edinburgh Castle the regent was relieved of his most pressing anxiety and he was free to turn to those details of domestic government, the settlement of which revealed his character and policy at their best and worst. The leaders of the Church must have regarded him with watchful suspicion, for even those who might covet titular eminence could not hope for a corresponding affluence; and the superintendent of Angus, though conscious of his restricted ecclesiastical powers¹, must have appeared to his brethren well fitted to guide them through their imminent troubles. If then beyond the prime of life, he was still a man of standing in the country and in the Kirk, and, as one of the rapidly dwindling company by whose efforts the Protestant faith had been originally established in Scotland, he might be considered a trusty custodian of the Church's best traditions. It was fated, however, that one in whom Erskine must have taken the keenest interest, Andrew Melville, a former pupil of Pierre de Marsilier, should very soon return from the Continent to intensify and focus ~~Protestant~~ ^{Protestant} resistance to Episcopacy and state control of religion.

The apparent guile of Morton was early detected. On the plea that the ministry would receive more certain payment if

1. cf. Cald., III, 273.

the State re-assumed the uplifting of the Thirds, and promising to allocate to each minister a local and easily collected stipend, undertaking, further, that the new arrangement should continue only so long as it proved acceptable to the Church, the regent secured the right of appointing his own collectors.¹ Two evils immediately reared their heads, both of them directly attributed to the regent's greed. The parishes throughout the length and breadth of the land were assigned to readers under the peripatetic supervision of ordained ministers, each of whom was responsible for the administration of two, three or four charges², though the increase of duty brought no increase of reward. Not content with this curtailment of ministerial hopes of promotion, the regent resorted to the Flambardian device of keeping benefices vacant and making presentations only when he was assured of financial benefit³. To make matters worse, the clergy had now to make petition to the courts instead of to their local superintendent or commissioner if their stipends fell in arrear or if increase of responsibility merited augmentation of emoluments, and they found the process wasteful of time and money and seldom productive of adequate remedy⁴. Erskine's own position as superintendent was far from secure. Circumstances were quite evidently changed, and the General Assembly of March, 1572-73, had appealed to the regent and Privy Council for a ruling anent the powers of superintendents and bishops⁵. Morton had no doubts about his mastery, for he made no attempt to conciliate the three remaining superintendents⁶, asserting that the appointment of bishops had rendered their office unnecessary, and withholding their stipends⁷; nor does it appear from existing records that payment

1. R.P.C., II, 261-264; Spottiswoode, II, 195.

2. Spottiswoode, II, 195. It is evident from the Book of Assignment of Stipends that six, seven and even eight parishes were sometimes grouped together. See Wodrow Misc., I, 329-394.

3. Hist. of King James the Sext, 147.

4. Spottiswoode, II, 195.

5. Cald., III, 273-274.

6. Willock had retired to England and Carswell was dead.

7. Spottiswoode, II, 195-196.

was ever regularly resumed except in Erskine's case.

It will have been noted by the reader that a great part of the condemnation of Morton's scheme is based on Spottiswoode, and clerical libellers of the regent have tended to forget that he was not alone in his avaricious temper. The result of the general scramble for benefices was that the value of the Thirds uplifted by the collector in 1573 was less than in 1562 by over 10000 lib.¹, though the number of the clergy dependent on the Thirds for their living had inevitably increased since the earlier year. Yet the proportion paid out to the Church in 1573 was much higher. In 1562 the ministry received almost 24000 lib., while eleven years later they were in receipt of 29881 lib.14s.1d.². It may at once be objected that the later and higher sum was distributable over a much greater number, but it is not to be forgotten that the valuation of ministerial stipends had been left to the Church³, and apparently the money distributed in 1573 corresponded exactly with the demands which the Church had advanced. That less money was available than would enable adequate stipends to be paid in all parishes cannot be laid to the charge of Morton alone, ringleader though he was in lay appropriation, and the Register of the Thirds provides material for the regent's defence. In addition to the sum already noted as having been disbursed to the ministry, there was paid to students and bursars 2129 lib.13s.1d.⁴; 1370 lib.17s.9d. was "gevin fre"⁵; pensions totalled 1601 lib.18s.⁶, of which one item was 383 lib.6s.8d. paid as pension to the "relict and bairnis of vmquhill Johnne Knox"⁷; and the only considerable sum to the payment of which the clergy could possibly

1. In 1562 approximately 50000 lib. was the charge against the Collector: in 1573 he gathered in 39362 lib.16s.4d. - Reg. Thirds, 1573, f. 41b.

2. Ibid., f. 101b.

3. R.P.C., II, 262.

4. Reg. Thirds, 1573, f. 104b.

5. Ibid., f. 107a.

6. Ibid., f. 108b.

7. Ibid., f. 102a. Particulars of an additional pension in kind are also noted.

take exception was 2312 lib.7s.6d. paid "to the furneissing of our souerane lordis howss"¹. Lest it be supposed that the money "gevin fre" went into the pockets of undeserving but acquisitive laymen, it is worth noting that this sum was provided for the relief of the poor, and in the allocation, possibly as the result of Erskine's efforts, Montrose received preferential treatment, for its share was 87 lib.6s. as compared with the 32 lib.11s.4d. which Dundee received², while Perth was given 70 lib.4s.5d., Stirling had to be content with a paltry 3 lib. 3s.³, and even Edinburgh got no more than 74 lib.12s.6d.⁴.

In the light of these figures it is difficult to avoid the conclusion that the clergy, in lamenting their admittedly inadequate remuneration, were prone to lay the burden of responsibility on the regent alone, making him the scapegoat that would carry the sins of many offenders. The Register for 1574 is fragmentary and defective, the volume for 1575 is missing, but the figures for 1576, as will be seen later, bear out the contention that Morton was not so black as ecclesiastical historians have sometimes painted him, though ministerial penury was unquestionably a very real grievance. No doubt his attitude to the Church was far from sympathetic, for he even questioned the right of the General Assembly to meet save on his summons⁵, and the somewhat ostentatious zeal which the Privy Council displayed for the spiritual nourishment of the people may have been merely the peg on which to hang a reminder to "all and sindrie the Archebishoppis, Bischoppis, Superintendentis and Commissioners of Diocys and Provinces" that a power higher than that of the Church existed to supervise their diligence⁶.

In Morton's scheme of pastoral organisation, examined on its merits, there is discernible the regent's passion for order.

1. Reg. Thirs, 1573, f. 105a.

2. Ibid., f. 106a.

3. Ibid., f. 106b.

4. Ibid., f. 107a.

5. Cald., III, 306.

6. R.P.C., II, 351-352.

Though the Church would not admit it, there was much to be said for a distribution of ordained ministers which ensured that no parish would be entirely destitute of spiritual guidance. The ministry was numerically incapable of supplying fully qualified pastors for all parishes¹, and clerical opposition to the regent was undoubtedly rooted in dislike of lay interference rather than in the conviction that the change was conceived to inflict pecuniary injustice on the Church. Financial hardship was the lot of the ministry, but there is no evidence that it proceeded from the increase of pastoral responsibility imposed by Morton.

The General Assembly which had incurred the regent's displeasure² had evidently no high opinion of Morton's scheme, for it appointed a committee to demonstrate "the substantiall caus.. . . . of mislyking the order agreed upon"³. But its main business was to define the powers of the Church in relation to those of the State. The fundamental antagonism dividing the regent and the ministry arose from the unwillingness of the former to tolerate any authority other than his own. The Church in its supreme court possessed a means of voicing popular opinion and a tribunal which claimed to adjudicate on matters affecting the civil as well as the ecclesiastical rights and privileges of the community; and in an age when political and religious views were significantly related, the uncontrolled exercise of its postulated functions might readily prove subversive of that discipline which the country had long lacked and the regent believed essential to the national well-being.

Though Erskine was on two committees appointed by this Assembly, the one to draft the "heads and articles which concerne

1. cf. Cald., III, 278, where the "raritie of ministers" is referred to, and Ibid., 309, where it is recorded that the oversight of several parishes by one minister was to continue only "till God, of his mercie, thrust moe labourers into his harvest". See also Wodrow Misc., I, 329-394.

2. March, 1573-74.

3. Cald., III, 307.

the jurisdiction of the Kirk", the other to confer with the regent and Privy Council on the same topic¹, it may be surmised that his long experience of political troubles made him less uncompromisingly hostile to Morton than were younger men who had escaped the evils of Catholic persecution. At all events he was sufficiently in the regent's confidence to have a seat on the Council in March, 1573-74²: in 1573 he had been paid his salary as superintendent³, and in the following year it was again assigned to him⁴, though the superintendent of Lothian complained that he had nothing in 1572 or 1573⁵: in November, 1574, Erskine was granted exemption for time past and to come from attendance in the sheriff-court, so long as he should hold the office of superintendent⁶. In spite of the numerous occasions on which Erskine acted as an agent of the Assembly, it is doubtful whether he would, without Morton's later provocation and Andrew Melville's incitement, have done much to hamper the regent in his attempts to "restrean the.....authoritie of the Generall Assemblies, and bring in a conformitie with Eingland in governing of the kirk be Bischopes and iniunctiones, without the quhilk he [Morton] thought nather the kingdome could be gydet to his fantasie, nor stand in guid aggriement and lyk- ing with the nibour land"⁷. Morton failed in an attempt to win over to his side Andrew Melville, who arrived from the Continent in July, 1574, but it would have squared with his interests to secure the assistance of so influential a churchman as Erskine of Dun, and it is at least certain that the superintendent was not the outspoken opponent of Morton that Melville very soon showed himself to be.

The articles which Erskine and five others were commissioned by the Assembly of August, 1574, to lay before the regent

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1. Cald., III, 307-308.
 2. R.P.C., II, 346.
 3. Reg. Thirsds, 1573, f. 101b.
 4. Wodrow Misc., I, 355.
 5. Cald., III, 332.
 6. Petrie, Cent. XVI, Pt. 3, p. 384.
 7. Melville's Diary, 35.

betray nothing of unusual ministerial discontent. The institution of necessary superintendents was insisted upon, and the appointment of qualified incumbents, so far as they were available, to vacant kirks, with provision of the necessary stipends, was demanded, but no claim was made for increased grants to the Church except that the appointment of Regius professors of theology, free from any parochial duties, was recommended¹, any additions to pastoral duty were held to warrant augmentation of stipend, and the payment of certain arrears was pressed for².

In this year the Church was allotted a slightly heavier payment from the Thirds than in the previous year³, but no evidence appears to exist to show how far the debt was met. There is reason to believe that the machinery of distribution was not in perfect working order, for some discontent appeared⁴, teinds were in places difficult to collect⁵, and an occasional minister got no stipend at all⁶, but on the whole recorded grievances were few. It does not, of course, follow that the Church was satisfied, nor had it reason for satisfaction. But Morton's government was not of the type to welcome complaints, and this fact doubtless restricted their number, though an examination of the Register of the Privy Council tends to disprove Spottiswoode's allegation that clerical complaints met with little judicial sympathy.

Meantime the need of defining the relations of Church and State grew more and more pressing. In August, 1573, the regent had agreed to appoint certain of the Privy Council to discuss

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1. Had Erskine advanced this demand in the interests of Andrew Melville?
 2. Cald., III, 334-336; Bk. Univ. Kirk, I, 305-306. This Assembly ordained that the superintendent of Angus and the Mearns should be caused to hand over to it the record of the Leith Assembly or Convention for registration in its books (Bk. Univ. Kirk, I, 309). The retention of official documents in private hands was common.
 3. cf. Wodrow Misc., I, 396, General Abstract of the Register of Ministers and Readers in the year MDLXXIV.
 4. cf. A.P.S., III, 90.
 5. cf. R.P.C., II, 423-424.
 6. cf. Cald., III, 351.

with representatives of the Assembly the jurisdiction of the Kirk, with a view to securing statutory force for the findings of the conference¹. Over eighteen months elapsed, however, before the promise was implemented, and in March, 1574-75, a convention at Holyrood empowered a committee of sixteen, including Erskine, Winram, Spottiswoode and Arbuthnot, Principal of Aberdeen, "to convene, confer, resson and put in forme the ecclesiasticall policie and ordour of the governing of the kirk as thay sall find maist aggreabill to the trewth of goddis word and maist convenient for the estate and people of this realme". The committee was ordered to commence its sittings on 14 March, and evidently it was anticipated that its labours would not be unduly prolonged, for the members were "to continew and abyde togidder frome day to day quhill thay have anys drawin a forme of the said ecclesiasticall policie"². It may be supposed that Erskine was not expected to assert beyond reason the claims of the Church, and it is significant that the Assembly which met in Edinburgh two days after the convention, in selecting a deputation of seven to confer with the regent's commissioners upon the "jurisdiction and policie of the kirk", homologated the convention's choice of Spottiswoode alone³, and the presence of Andrew Melville as one of the Assembly's representatives does not betoken willingness to yield up any of the pretensions of the Church to a jurisdiction co-ordinate with that of the State. Erskine and Winram, it is true, were deputed with three others to advise the Church in regard to a sumptuary ordinance which would ensure that the apparel of the ministry should betoken sobriety and humility of mind, their decision being communicated

1. Cald., III, 297.

2. A.P.S., III, 89.

3. Cald., III, 343-344.

to the Assembly of the following August¹; but it is evident from the constitution of the more important committee that the influence of Melville was beginning to be felt, and the dispute between the civil and ecclesiastical powers was not destined to be waged without bitterness and suspicion even within the Church itself. But there is every reason to believe that Erskine was keenly interested in the financial provisions for ministerial stipends, and by the following August circumstances had arisen which demanded his intervention with the regent to procure, if it were possible, justice for the ministry.

Along with the bishop of Glasgow, the superintendent of Lothian, John Row and David Lindsay, the laird was instructed by the Assembly to put a series of nine demands² before the regent. Apparently ministers were then available who had no charges, and the Assembly asked that they should be preferred to cures, that so the work of supervision might be reduced: the punishment of vice, the holding of Sunday markets, the abolition of Saints' days, provision for aged and infirm ministers were also brought forward: but the third, fourth and

1. Cald., III, 354-355. The decision is worth quoting:- "Forasmuche as a comelie and decent apparrell is requisite in all, namelie, ministers, and suche as beare function in the kirk, first, we thinke all kinde of browdering unseemlie; all begaires [strips of a different colour or material sewn into a garment] of velvet, in gowne, hose, or coat, and all superfluous and vaine cutting out, steeking with silkes, all kinde of costlie sewing on pasments [fringes or trimmings], or sumptuous and large steeking with silkes; all kinde of costlie sewing, or variant hewes in sarkes [shirts]; all kinde of light and variant hewes in clothing, as raid, blew, yellow, and suche like, which declare the lightnesse of the minde; all wearing of rings, bracelets, buttons of silver, gold, or other mettall; all kinde of superfluiteis of cloath in making of hose; all using of plaids in the kirk by readers or ministers, namelie, in the time of their ministrie, and using of their office; all kinde of gownning, cutting, doubling, or breekes of velvet, satine, taffetie, or such like; and costlie gilttings of whingers and knives, and suche like; all silk hatts, and hatts of diverse and light colours; but that their whole habite be of grave colour, as blacke, russett, sad gray, sad browne; or searges, worsett, chamlett, grogram, lylis worset, or suche like; that the good Word of God, by them and their immoderatnesse, be not slandered. And the wives of the ministers to be subject to the same order".

2. Cald., III, 351-353.

fifth petitions were the most important. The third, historically well-founded, urged that, as the teinds were the patrimony of the poor, the burden of poor-relief should fall on the two reserved parts as well as on the Assumed Third, and that hospitals should be restored to their proper use and such payments made out of the fruits of abbeys and other benefices as had been "by long consuetude" devoted to the poor. The fourth demand was that provision should be made for schools throughout the realm, and in particular for the poorly endowed University of Glasgow, while students of promise should be enabled to continue their studies abroad; but the motive behind this was apparently not so much zeal for education in general as a desire to secure adequate educational facilities for entrants to the ministry. The circumstances of the time render the fifth article of peculiar interest, and its terms merit recital: the Assembly craved "That such assignatiouns as have beene appointed by the prince and the kirk, and are altered without advice of the kirk, may be repaired; and that, in times comming, suche assignatiouns as sall be appointed be not altered, without advice of the kirk, otherwise no minister sall be sure of his assignatioun".

These demands, touching poor-relief, education and ministerial salaries, reflected three of the strongest interests of Erskine's public life, and it is certain that he would prove no half-hearted advocate for the Assembly when he confronted the regent. He had, it is true, a personal interest in the training and reward of the ministry, for his son, Thomas, was presented to the living of Dun in March, 1574-75¹, the previous incumbent, James Erskine, being dead; and in the following August, the superintendent himself was presented to the same cure,

1. 24 March, Reg. Sec. Sig., XLII, f. 124b.; see Appendix I; 24 March, Reg. Presentation to Benefices, I, f. 31b. in fourth series of folios.

Winram being instructed to admit him¹. In addition, the laird's zeal for the Church had resulted in his defraying out of his own pocket the cost of repairing sundry ruinous chancels in his diocese², a burden which increased assignments from the thirds might lessen or remove. But Erskine's whole career speaks of his care for adequate sustentation of the ministry, and his disgust would be correspondingly strong when the deputation was informed that Morton was then too busy to consider the satisfaction of the Church in matters requiring careful judgment, on hearing which the Assembly appointed Erskine and his associates to interview the regent on 1 November following³.

This action of Morton in altering the assignment of stipends without consultation with the heads of the Church cannot be regarded as a tactful exercise of his increasingly despotic power. His vices, public and private, had already given his opponents numerous grounds for judging him adversely, but the addition of a breach of faith which inflicted pecuniary hardship upon his adversaries was certainly not designed to temper their denunciations, and in the circumstance we may find a partial explanation of the Assembly's appointment of a committee to discuss whether the episcopal function had Scriptural warrant⁴. Andrew Melville had addressed the gathering on the point and was one of those desired to debate the matter and report to the brethren⁵. Apparently the committee was not unanimous⁶, but it was agreed that all who had the oversight of a particular charge had a claim to be entitled bishops, though it was con-

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1. Reg. Sec. Sig., XLIII, f. 18a; see Appendix J; the instrument of collation is printed in the Reg. Episc. Brechin., II, 308, and reprinted in Appendix K. In the case of both presentations, that of Thomas Erskine and that of his father, the deceased James Erskine is designated as the last possessor of the benefice. The present writer is unable to say whether Thomas died before his induction could be arranged, or his father refused to admit him, or some other obstacle intervened. Thomas's death is the probable explanation.
 2. Bk. Univ. Kirk, I, 314.
 3. Cald., III, 353.
 4. Ibid., 355.
 5. Spottiswoode, II, 200.
 6. John Row was certainly in favour of episcopacy at the time. See Row's Hist. p. 415.

ceded that to certain might be given powers of visitation, appointment and discipline such as had been entrusted to superintendents¹. This statement of Presbyterian parity was approved by the General Assembly of April, 1576², that of April, 1578, ordained that no titular distinction should be granted to bishops by the ministry and protested against any addition to their number before the Assembly should again meet³, and in July, 1580, that body condemned as unscriptural the office of bishop and called upon all holders of it to resign⁴. A new leader had arrived in Andrew Melville to initiate a struggle which, if its consequences to the Church were of doubtful benefit, at least stiffened the national disposition to limit the scope of royal authority. But Erskine, though on the testimony of Row a 'zealous opposer of the Hierarchy'⁵, cannot have been, in the nature of the case, so uncompromising a supporter of ecclesiastical parity as was the principal of the University of Glasgow.

Meanwhile the relations of Church and State still stood in need of definition, and the subject cannot have been long absent from the thoughts of every one of Scotland's ecclesiastical leaders. The first Assembly of 1576, which met under the moderatorship of Row⁶, one of the defenders of the episcopal office in the previous year⁷, set up five committees to "deliberat gravelie and circumspectlie" regarding the Policy of the Kirk, Erskine, Row, Christison of Dundee and two others forming the committee for Angus and Mearns⁸. These committees were in-

1. Spottiswoode, II, 201; Cald., III, 356.

2. Spottiswoode, *ibid.*

3. Cald., III, 403.

4. *Ibid.*, 469-470.

5. Row, 417.

6. Bk. Univ. Kirk, I, 331; Cald., III, 358.

7. Spottiswoode, II, 200.

8. Cald., III, 362-363 and Melville's Diary, 43. The committees were appointed by districts, one for the West, a second for Lothian, a third for Fife, another for Angus and Mearns, and the last for Aberdeen, their places of meeting to be Glasgow, Edinburgh, Montrose, St. Andrews and (presumably) Aberdeen respectively.

structed to assemble separately on the first Tuesday of the following June¹, and, having debated the matters covered by their terms of reference, convene at Stirling on 31 July to draw up a report for submission to the Assembly ordained to meet on 24 October. If the instruction was carried out, the task evidently proved heavier than had been anticipated, for the Policy was not quite ready for the consideration of the Assembly when it met², though agreement was thought to have been reached before it dispersed³. It is plain, however, that definite conclusions were not reached till October, 1577⁴, and they seem to have been presented to the regent before his demission of office⁵, which took place in March, 1577-78. We shall have occasion to revert to this matter.

The Assembly of April, 1576, allotted duties to Erskine of Dun additional to his labours on the Book of Policy. For the better enforcement of ecclesiastical discipline, fifty-four ministers and laymen were deputed to visit and oversee the districts allocated to them, and among those deputed to attend to Angus and the Mearns were the laird and his son, Robert, the latter the only layman so commissioned for the area⁶, and the elder Erskine was also associated with the principal of Aberdeen, Pont, Row and three others to visit and report upon the condition of the University of St. Andrews⁷, one probable result of this being Erskine's redemption of the grant, which he had made fifty years before, of thirty merks' worth of land to St. Salvator's College⁸. Perhaps never more than during Morton's regency, the Church imposed frequent and heavy burdens on the shoulders of a few, Erskine among them, and the management of the laird's private affairs must have been largely transferred

1. i.e. 5 June, 1576.

2. Cald., III, 375.

3. Ibid., 393.

4. Ibid., 385; Bk. Univ. Kirk, I, 398.

5. Cald., III, 399.

6. Bk. Univ. Kirk, I, 355.

7. Ibid., 360.

8. 18 November, 1576; Sp. Misc., IV, 26. See p. 9.

to his son, though he was not rid of the obligations of friendship and neighbourly duty¹. The constant recurrence of his name in the ecclesiastical annals of the period is a testimony to his devotion and capacity, and he was still exercising his office of superintendent, though not regularly designated as such, with a keen eye to ecclesiastical privilege².

The thoughts of the whole Church were centred round the preparation of the Book of Policy or Second Book of Discipline. It is probable that the individuals who had been entrusted with the work of drafting it had shared out the various problems which demanded solution³, and local interest would by that plan be stimulated more widely than if the committees had reasoned in council. This intensity of ministerial interest may perhaps explain the almost total absence of complaints relating to stipends. Yet an examination of the Register of the Thirds for 1576 and 1577 provides us with evidence that stipends were paid at least in accordance with their assignation. The fact that Morton altered the assignations without consulting the Church has already been noted and his breach of faith condemned, but this is to be said for him, that only as the total yield increased does he appear to have appropriated to the use of the State an appreciable surplus, and the increase of yield is a testimony to the efficiency of his collection.

The charge against the Collector General for 1576 was 51694 lib.5s.3d.⁴, and in that year there was allocated to ministers' stipends 33425 lib.2s.1d.⁵. Students and bursars were paid 1209 lib.4s.10d.⁶, sums amounting to 1923 lib.11s.6d. were given free⁷, 2346 lib.18s. went in pensions⁸, while the expenses of the king's house and the castle of Dumbarton swallowed up

1. cf. R.M.S., 1546-1580, no. 2587; Registrum de Panmure, II, p. 315.

2. cf. R.P.C., II, 565-566.

3. See Calderwood, III, on the Assemblies of 1576 and 1577; in particular, p. 380.

4. Reg. Thirds, 1576, f. 50b.

5. Ibid., f. 106b.

6. Ibid., f. 109b.

7. Ibid., f. 111b.

8. Ibid., f. 112b.

2579 lib.8s.6d.¹. Altogether, 42797 lib.7s.4d. is the total discharge accounted for, so that the surplus for purposes of state was nearly 9000 lib. as compared with the 2000 lib. which had remained in 1573. The sums given free to the towns of Montrose and Dundee were substantially the same as those allotted in 1573 and continued to be paid apparently throughout Erskine's lifetime, so that the preferential treatment which Montrose enjoyed was not a spasmodic or isolated kindness. The amounts paid under the head of stipends to the different dioceses or districts correspond almost exactly with the amounts set down in the Register of the Modification and Assignation of Stipends², the trifling variations being doubtless due to the death or transfer of incumbents. The district of Angus and the Mearns seems to have been relatively fortunate, for it received a total of 4353 lib.17s.4d.³, and this sum included the provision of 466 lib.13s.9d. as the salary of the superintendent, although no other superintendent was apparently provided for as such in this year. This sum compares favourably with that of 4246 lib.11s.4d. paid to the ministers and readers of the diocese of Aberdeen⁴, or with that assigned to the Merse, Lothian and Linlithgow, with Stirlingshire to the east of the town, 5580 lib.6s.2d. The same good fortune befel Erskine's diocese in regard to assigned victual, for, if we take the values of wheat, bere, meal and oats given in the Register of the Modification and Assignation⁵, we find that, while the ministers and readers within his bounds were due to receive an addition in kind to their stipends of over 2000 lib.⁶, other additions were worth approximately 976 lib. in the case of Ross⁷, 832 lib. for Murray⁸, 810 lib. for Perth and Strathearn⁹,

1. Reg. Thirds, 1576, f. 110a.

2. See vol. for 1576-1578, Register House, Edinburgh, passim.

3. Reg. Thirds, 1576, f. 106a.

4. Ibid., f. 105b.

5. Op. cit., 1576, f. 69b. The volume serves for the years 1576 to 1578, but the folios are numbered for each year separately.

6. Reg. Modific. and Assig., 1576, f. 32a.

7. Ibid., f. 11a.

8. Ibid., f. 15a.

9. Ibid., f. 37b.

586 lib. for Fife¹, and 1031 lib. for the Merse and Lothian², a circumstance which points to unremitting efforts on the superintendent's part to secure as much as possible for the ministers and readers over whom he had been placed.

In 1577 the thirds of benefices yielded 54704 lib. 2s. 5d.³, of which the ministers received 33193 lib. 15s. 7d.⁴. Their share was approximately sixty per cent. of the total collected, as against the sixty-five per cent. of 1576, and Morton was provided with a surplus of nearly 10000 lib. in this year. With a reduced total for stipends, it occasions no surprise to find that Angus and the Mearns received ninety pounds less than in the preceding year⁵, but on the other hand the district obtained an increased allotment of victual amounting in value to over 2500 lib.⁶, and the ministers and readers plainly had reason to be thankful that John Erskine of Dun was the steward of their interests.

The figures quoted are an interesting comment on the efficiency of the administrative machine under Morton's control. It will be found that ministerial remuneration, though it fluctuated under the king's administration, on the whole tended to rise steadily, but there can be no doubt that a considerable share of the credit must be assigned to him who first set the example of strict collection of the Church's spirituality, without which the ministerial beneficiaries would have looked in vain for even the inadequate salaries which came to them⁷. And surely the Church would have gained had it been able to enlist in its service more men as persuasive or as influential as the superintendent of Angus and the Mearns, and it is not

1. Reg. Modific. and Assig., 1576, f. 42b.

2. Ibid., f. 50a.

3. Reg. Thirds, 1577, f. 48b.

4. Ibid., f. 107a.

5. 4263 lib. 13s. 4d., ibid., f. 106b.

6. Ibid., ff. 51a, 63b, 78b.

7. Erskine's stipend as minister of Dun in 1576 was the "hail personage of dvn newlie disponsit to him", extending to 64 lib. 6s. 8d. - Reg. of Modific. and Assig., 1576, f. 25b.

surprising that one so successful in procuring stipendiary loaves and fishes should have been a popular figure in the courts of the Church. But men so able and industrious, and withal so disinterested, were rare in sixteenth-century Scotland. Church, the Assembly required twelve of its leading members, At the first meeting of Assembly in 1577 certain of those who had been employed in preparing the Book of Policy presented their conclusions, but the "head givin to the Laird of Dun, conforme to the order of distributionbeing, in his judgement, obscure and mystick, the Assemblie desired him to conferre with the rest of the commissioners, to the effect he [might] be resolved of the meaning therof"¹. How it is to be regretted that we cannot tell what this obscure and mystic subject was! Were it known, we might ascertain that Erskine had a more exact conception than some of his brethren of the legitimate province of the Church in the national economy, for the gifts which he evidently possessed as an ecclesiastical guardian of temporal interests may have disposed him to appreciate the difficulties of civil administration more fully than did some of the hot-headed idealists who were less in touch with the problems confronting the national executive. But, interesting as the speculation may be, in the absence of definite knowledge we can arrive at no conclusion, and it is probable that Erskine's doubt centred round one of three heads wherein the commissioners were not 'resolved nor satisfied', these being De Diaconatu, De Jure Patronatus and De Divortiiis, which in spite of earnest disputation were not subjects of agreement when the Assembly dispersed, and Erskine and nine others were ordained to meet in Edinburgh on 19 October to consider the final form of the Book of Policy, so that after approval by the Assembly it might be presented to the regent². The Assembly of October, while it endorsed the decisions of its deputies in the main,

1. Cald., III, 380. Erskine was requested to confer "the morne at sevin houres"; Bk. Univ. Kirk, I, 384.

2. Cald., III, 382.

and sanctioned the presentation of the Policy, reserved to itself the opportunity of giving further consideration to the head De Diaconatu, which was not unreservedly ratified¹. In case the regent should desire conference with representatives of the Church, the Assembly required twelve of its leading members, of whom Erskine was one, to hold themselves in readiness for such a purpose².

Though the Second Book of Discipline³ remained for long unapproved, and was not registered among the acts of the General Assembly till April, 1581, and even then merely as a memorial of shattered hopes⁴, it was the formal basis of the ecclesiastical settlements of 1592 and 1690. But, if it failed to receive the force of law at the time of its publication, it is nevertheless deserving of some mention at this point of the story of Erskine's life. It is a lengthy statement of an ideal theocracy, differing from the First Book in making no mention of the "exercise" or of superintendents, but abating nothing of the earlier spirit of what may without exaggeration be termed ultramontane ~~Protestantism~~ ^{Protestantism}. It is idle to pretend that the Book contemplated two independent but co-ordinate governments. The civil magistrate was intended to be subordinate to the Church: he might not trespass upon the functions of the ministry, but the ministers were to teach him how to exercise his civil jurisdiction. In other words, temporal rulers, however able and however exalted, lay open to the rebukes of a ministry often ignorant and seldom tolerant. The Church relied upon the Word of God to guide it in the exercise of such exceptional powers, but constituted itself the sole interpreter of its supposed warrant. To put it plainly, there could be no indifferent earthly tribunal to decide the conflicting claims of Church and State, for the former was to be at once plaintiff and judge.

1. See also Wodrow Misc., I, 402.

2. Cald., III, 388.

3. Bk. Univ. Kirk, II, 488-512; Cald., III, 529-555.

4. Cald., III, 526.

Further, the old claims to the whole patrimony of the Kirk were re-asserted, in spite of the admission that it would be difficult to find ministers for all parishes; non-intrusion was claimed as a right; ministerial parity was laid down as an essential of ecclesiastical polity. In short, the Second Book of Discipline, though it contains much that is prudent and even temperate, was a pedantic expression of impracticable aspirations, a 'devout imagination' unrelated to the conditions of the time.

That the laird of Dun was concerned in other than ecclesiastical politics at this period is attested by the fact that he was still provost of Montrose¹, where he had a lodging². In all likelihood he had not ceased to hold this office since he first assumed the duties, and the experiences which he necessarily gained in the exercise of the attendant responsibilities cannot have failed to preserve to him a width of outlook, of which an exclusively academic or ministerial life might easily have robbed him, and one instance of the contact which his provostry established between himself and national secular affairs is found in the arrangement whereby Montrose, in common with other towns, successfully offered to purchase exemption from feudal service, when in September, 1577, its inhabitants of military age were summoned to assist the regent against the thieves and outlaws of the Border³.

Meantime Morton's administration was not conducive to his popularity, for the nobles found him intolerant of their attempts to emulate his rapacity, the commons were furious at his fiscal exactions and judicial extortions, while to ministerial invitations to further the cause of religion he threatened the most zealous members of Assembly with the hangman's

1. Protocol Book, 18 August, 1574, to 16 February, 1578-79, in the archives of Montrose, ff. 17b (27 March, 1576) and 23a (20 August, 1576).

2. Ibid., f. 29b (26 February, 1576-77).

3. R.P.C., II, 638.

rope, alleging that the country would know nothing of peace and order while they lived¹. Convinced of his country's need of a salutary despotism, the regent must have found the opposition of men like Andrew Melville peculiarly provoking, and there is something to be said for Morton's irritation. His administration was efficient, he took a long view of both national and international policy, the Church on the whole had certainly not lost financially under his rule, his talents were intensely practical². Most of his clerical enemies were the merest theorists and amateurs in politics, whether ecclesiastical or civil. No government could have conceded to the ~~Protestant~~ ^{Protestant} ministry the powers which Melville demanded, without proclaiming itself incompetent to discharge even those duties which the Second Book of Discipline contemplated as coming within the province of the civil magistrate. Representative government had no allurements for the statesmen of the sixteenth century. Morton and Melville ^{were} the twin protagonists in the initiation of that long strife between Church and State in Scotland which followed the earlier and briefer struggle between Protestantism and Roman Catholicism. By Morton's efforts the first conflict had been apparently settled once and for all, but not by his alone was the second precipitated. For the remainder of Erskine's life, the later contest was to be complicated by considerations to which for a time he had been a stranger; but it is open to doubt if the laird of Dun, previous to Morton's fall, was the unreserved advocate of ecclesiastical

1. Cald., III, 393-394.

2. Compare the forty-two questions which he put to the Assembly of October, 1577 (Cald., III, 389-393). Several of these were conceivably aimed at Erskine of Dun, e.g. whether a man might be at once a minister and provost of a town (no. 26); whether, if a man were both a laird and a minister, he should render the state services in the first or the second capacity (no. 28). But Morton's acute and sarcastic mind is evident in all, and not least in the awkward question (no. 13), which demanded if all livings should be of the same value, since all ministers were thought to be alike in dignity.

demands
~~confronted~~

which his labours on the Second Book of Discipline might proclaim him¹, and when the earl of Morton demitted the regency in March, 1577-78, in consequence of a conspiracy among the discontented nobles to secure increased power for themselves by putting the reins of government ostensibly in the hands of the eleven-year-old king, the moderate Erskine may have reflected that the devil he knew was less to be feared than those others who lacked his gifts though they coveted his powers².

1. It may be worth noting that on 23 November, 1577, his grandson, John, son of Robert, had a grant gratis of the ward, non-entry and relief of certain lands of William Gordon of Dunpercie. Reg. Sec. Sig., XLIV, f. 118b. See Appendix L.
2. The writer must confess that, if the John Erskine who on 3 May, 1578, subscribed the "Band of the freindis of the Hous of Mar" (R.P.C., II, 690-691) was the laird of Dun, his argument loses much of its force. But it is perhaps not so daring as at first appears to question whether the editorial identification of the subscriber with the superintendent is correct. Robert Erskine, fiar of Dun, certainly signed the bond; no territorial designation is given to the John Erskine who did so. The names scarcely suggest that the laird, then sixty-nine years of age, would have proved a valued ally to the signatories, but his grandson, John, was more likely to be so, and the omission of any reference to the subscriber's landed property would be less strange in the case of the grandson. Further, John Erskine, son and apparent heir of Robert Erskine, fiar of Dun, was associated with one of the subscribers of 3 May, David Lindsay of Edzell, in attaching his name to a "band" of 31 May in favour of David, earl of Crawford (R.P.C., II, 705-706), who had slain the chancellor, Glammis, in a scuffle. Lastly, the subscribers of 3 May were all laymen, if we assume that the superintendent was not one of them.

attempted division of a body whose tenets were diametrically opposed to his conceptions of kingly prerogative. The promptings of no evagant assurance were not wanting on either side to strengthen the conflicting claims of Church and State to an over-riding authority; while to add to the prevailing apprehension, Scotland was menaced by an external danger when Philip II of Spain got within measurable distance of attempting that 'invincible God', the chances of which were wrecked with the Armada.

Morton's apparently cheerful retirement into private life was not of long duration; for indeed would an ostentatious devotion to Abbotism have preserved him from his doom. In the Earl of Mar's youthful jealousy was used as the lever to restore William to

CHAPTER XI. 1578-1582.

The years following Morton's resignation of office were a period of shifting policy. The regency was not revived, but a series of Chief Ministers or royal favourites dominated the court, and the aims of the executive lacked persistency, till at last, under James VI's personal rule, there emerged a definite purpose, obscured and cheapened by the tortuous methods employed to further it. That purpose ^{was} ~~≡~~ the securing of the Stewart succession to the throne of England, and James was ready to identify himself with any cause, religious or political, which would enable him to realise his ambition. The king's willingness to profess any religion, if only his designs could thereby be advanced, was a threat to Scotland's ecclesiastical peace that provoked the majority of convinced Protestants to emphasise ever more strongly the claims of the Church to an independent and protective jurisdiction, while the royal political theorist tended more and more to resent the attempted dictation of a body whose tenets were diametrically opposed to his conceptions of kingly prerogative. The promptings of an arrogant assurance were not wanting on either side to strengthen the conflicting claims of Church and State to an over-ruling authority, while to add to the prevailing apprehension, Scotland was menaced by an external danger when Philip II of Spain got within measurable distance of attempting that 'service to God', the chances of which were wrecked with the Armada.

Morton's apparently cheerful retirement into private life was not of long duration, nor indeed would an ostentatious devotion to horticulture have preserved him from his enemies. Youthful jealousy ^{in the earl of Mar} was used as the lever to restore him to power,

and with the castle of Stirling virtually in his own hands and the boy-king under his direct ~~influence~~^{control} he won back a predominant influence in the national councils, though his numerous and powerful opponents seemed ready for a time to plunge the country into civil war rather than submit again to his autocratic rule. On his temporary withdrawal from the political arena, the Church had been offended by the appointment to the Council of noblemen unacceptable to the ministry and by the immediate increase of public disorder. It was, moreover, a period of scarcity, and the laird of Dun and his colleagues, appointed to present to the late regent the Book of Policy, took an early opportunity of urging upon the Council that the resultant hardships to the poor should be mitigated, and at the same time they sought conference regarding the jurisdiction of the Kirk, adding the demand that no Collector General should be chosen without advice of the Assembly, but that the Church might intromit with the thirds according to its pleasure. Though the Privy Council issued an order designed to palliate the dearth of victual and encouraging its importation¹, no other answer was returned to these demands², and the Council's refusal thus early to discuss matters with the Assembly's representatives was the cloud like a man's hand foretelling the storm of domestic danger and foreign threats through which the Church was to pass.

Accordingly, when the first Assembly of 1578 met in Edinburgh under the moderatorship of Andrew Melville³, the members had early reason to doubt whether they could look for any good from the new executive, but they appointed a committee to reason with the Council's deputies upon the Policy⁴, and again Erskine was nominated one of those to advocate the claims of the Church at such time as should be appointed⁵. A sparsely attend-

1. R.P.C., II, 680-681.

2. Cald., III, 399-400.

3. Bk. Univ. Kirk, II, 403; Cald., III, 398.

4. Cald., III, 401.

5. Bk. Univ. Kirk, II, 409; Cald., III, 403.

ed Assembly met at Stirling on 11 June, the day after Morton had won the second stage in his victory by which a reconstruction of the Privy Council and the alteration of the next Parliament's meeting place from Edinburgh to Stirling were conceded¹. It was then reported that a conference had been held with the king and Council by the Assembly's representatives, when the objections brought against the Policy had been few and unimportant, and the king himself had undertaken to watch over the interests of the Church². That this was merely a procrastinating shift is evident from the proceedings of the Parliament which met at Stirling in the following month, when the Lords of the Articles decided that the provisions of the Policy were of so great weight and consequence that no resolution could then be reached concerning them. Accordingly a parliamentary committee was set up consisting of three members of the Privy Council, three members of the episcopate, three commendators, three barons (Erskine being one of these), three burgh representatives and six ministers, together with three advocates and a like number of assessors, to meet on 18 August and, having considered the whole matter, to report their decisions to the next Parliament³. Apparently, whatever preliminary conversations took place, the principal meeting was not held till 22 December. It continued till the twenty-ninth under the chairmanship of Erskine of Dun, but, as might have been expected, no very substantial progress was made toward agreement, nor does the preponderatingly lay constitution of the committee permit us to attach much importance to the finding which the deliberations yielded, "that the spirituall jurisdiction meddle not with civill matters"⁴.

Though the time was not auspicious for the settlement by

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1. Cald., III, 409-410; Bk. Univ. Kirk, II, 412. Erskine was appointed by this Assembly a commissioner for "the Laigh of Marr and Garioch, with the Kirks of the Mearnes beyond the Mont upon the Water of Dee". Bk. Univ. Kirk, II, 416.
 2. Cald., III, 412.
 3. A.P.S., III, 105-106.
 4. Cald., III, 433-442.

agreement of the Church's grievances, yet in one respect the ministry had little reason to complain of their treatment in 1578. In the disturbed state of the country it is not surprising that the thirds of Benefices in that year produced only 43510 lib.9s.2d.¹. But if the income declined the ministry did not suffer, for stipends accounted for an expenditure of 34437 lib.10s.4d.², and students and bursars were also allocated a slightly increased sum³. There was, however, a drop of nearly 3000 lib. in the free gifts, which totalled 1561 lib.4s.7d.⁴, though Montrose showed no loss. But the biggest change was made under the head of the king's house, which received 622 lib.16s.7d.⁵, as against over 2500 lib. in the previous year. The surplus which remained in 1578 was under 3000 lib., an argument in favour of Morton's restoration to power which cannot have been lost upon some at least of the country's rulers⁶, though the Church may have considered that its allotment of nearly eighty per cent. of the available money pointed the moral that they had been shabbily treated in the past.

In any case it is worthy of note that no attempt was made to pay smaller stipends than had been assigned⁷. The advantage which has been previously remarked in the case of Erskine's district in the matter of victual was again prominent⁸, an advantage on the lines of the assignation, while his own salary as superintendent⁹ and as minister of Dun¹⁰ was included in the allocation of 4559 lib.5s.7d. to Angus and Mearns¹¹, a sum which was paid in full¹². Early in the next year the superin-

1. Reg.Thirds, 1578, f. 47b.

2. Ibid., f. 96a.

3. 1320 lib.0s.4d., Ibid., f. 99a.

4. Ibid., f. 101b.

5. Ibid., f. 99b.

6. Royal gifts of grants from the thirds were revoked in September, 1578. R.P.C., III, 29-31.

7. cf. Reg.Mod. and Assig. of Stipends, 1578, passim.

8. cf. Reg.Thirds, ff. 61b, 62a, 72b, 73a, etc..

9. Reg.Mod. and Assig., 1578, f. 29b.

10. Ibid., f. 23b.

11. Ibid., f. 29b.

12. Reg.Thirds, 1578, f. 95b.

tendent's great-grandson, David, son of John Erskine of Logy, the heir of Robert Erskine, obtained a scholarship in the form of a chaplainry "callit nomine Jesu, foundit at the alter of all saulis sumtyme situat within the cathedrall kirk of Brechin", he being thirteen years of age¹. It had previously been enjoyed by Jerome Lindsay son of the minister of Leith,² and was one of the educational benefits inaugurated by Morton³. By whose solicitation the favour was obtained is very doubtful⁴, but at all events, taken in conjunction with the payments to the superintendent noted above, it certainly would not increase the laird's opposition to the chief minister of the crown.

In this same month of March, 1579, stirring events were afoot on the shore of Lunan Bay in Forfarshire, where the old tower of Redcastle looks out over the North Sea. The castle was the residence of the dowager lady Innermeath, Elizabeth Beaton. Before her marriage she had been so indiscreet as to become the mother of one of James V's illegitimate children, known later as Jean, countess of Argyll, who in 1567 incurred the displeasure of the General Assembly for having acted as Queen Elizabeth's proxy at the baptism of James VI after the Roman Catholic fashion⁵. Left a widow in January, 1569-70, she had married James Gray, son of Patrick, lord Gray, "ane young gentilman unlandit or providit of leaving, in hoip that he sould have mantenit and defendit and done the dewtie of ane faithfull husband to hir in hir aige"⁶. So far from this proving the case, the youthful husband formed a liaison with his wife's niece and he was eventually divorced for adultery in

1. 27 March, 1579. Reg. Present. to Benefices, II, f. 15b. The date in the Reg. Sec. Sig., XLV, f. 119a, is 27 March, 1578, but it is evident from the entries which precede and follow that it is an easy slip for 1579. The Reg. Episc. Brechin., II, 351-352, ascribes the gift to 1578.

2. See D.N.B.

3. Jerome Lindsay was paid his grant in 1573. See Reg. Thirds, 1573, f. 103a.

4. The part which Robert Erskine was playing at the time (cf. Sp. Misc., IV, 61) points to him as a possible petitioner, and the boy's father was also in a position to put forward a claim.

5. See Scots Peerage, vol. V, under Innermeath, for these and succeeding particulars.

6. R.P.C., III, 155.

June, 1581. Not content with conjugal infidelity he had attempted by an unnatural conspiracy with his eldest stepson to secure to himself the widow's portion of his elderly spouse, but her second son, John Stewart of Baldynneis, who was to make interesting but not very important contributions to Scottish poetry¹, seized the castle with the help of his future father-in-law, Andrew Gray of Duninald, and held it for his mother. Husband and wife lodged claims and counter-claims, justice being finally satisfied, but the Privy Council instructed Erskine of Dun in May, 1579², to take possession of Redcastle, inventory the movable property within and without the dwelling, and retain the whole in his custody till the dispute should be settled, sending John Stewart and his accomplices to appear before the Council. These suspects were brought before the Council by Robert Erskine, who had assisted his father in apprehending them, and they were committed to ward³. Meantime the laird had charge of Redcastle, but he found that the keeping of the house was "sumptuous and verrey chargabill" and desired to be relieved of the duty. But he was evidently considered a trustworthy custodian, for he was ordered to continue at his post, being allowed forty shillings a day in respect of his costs for the first thirty-four days of his trust and twenty shillings a day subsequently⁴. His charge continued till 26 September, when, an interim award having been made to the lady Innermeath⁵, he was instructed to hand over the dwelling to her son, John, that the latter might make his residence there "for the better saulftie of his persoun"⁶. John Erskine's ecclesiastical duties apparently had not permitted him to keep a very watchful eye on the lands of Redcastle, for if lady

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1. The Poems of John Stewart of Baldynneis, ed. Crockett (Scot. Text Soc.).
 2. Sp. Misc., IV, 60, where the letter of instruction is wrongly dated; also H.M.C., Fifth Report, p. 640, no. 66.
 3. R.P.C., III, 171.
 4. Ibid., 188-189.
 5. Ibid., 211.
 6. Sp. Misc., IV, 63.

Innermeath's allegations were true, her worthless husband had "intrromettit with the scheip and nolt being pasturand upoun her manis of Reidcastell" and purposed to reap the corn growing there¹. But Erskine's age and the difficulty of restraining the villainy of so unscrupulous a knave as James Gray were an excellent excuse for the remissness, if any, of the superintendent.

The foregoing story has perhaps been told at undue length, but the moral of it is that under Morton's renewed rule Erskine of Dun does not appear to have been a person who provoked to wrath the powerful earl. Confirmation of this is to be found in other directions. On 14 April Peter Young, one of the king's tutors and royal almoner, presented a petition to the Council begging that steps might be taken to put a stop to "ane unplesand and lamentabill spectacle", the resort of large numbers of beggars to the gates of Stirling Castle, whereby both the king and those who resorted to his presence were "grevouslie fascheit and inquietit". A disturbing feature of the nuisance was that "commonlie the strangest² beggaris throw thair importunitie gettis the almous, quhen the maist misterful³, seik, and impotent creatouris ar owirsene and neglectit and certane weil knawin and notorius lymmaris and ydell vagaboundis.....keipis conventionis.....at Striviling als ordinarlie as they war chairgit to cum be proclamatioun, and defraudis the purr creaturis that maist requiris help of the awmous of all cheritabill personis". The result was that the petitioner found himself unable to keep from the king a knowledge of the seamy side of life, - one could wish that the royal tutor had been less careful of his pupil's feelings -, while the royal alms did little good. The Privy Council in reply appointed John Erskine of Dun together with Peter Young and two others to report how best the

1. R.P.C., III, 211.

2. i.e. strongest.

3. i.e. needy, starving.

scandal might be removed "be puneishment of the strang and idle beggaris and vagaboundis, and provisioun for the puir and mis-terfull that aucht to be cared for", so that order might be taken to apply a remedy¹. It does not appear what recommendations were made by Erskine and his colleagues unless we see a result of their deliberations in the decision to enforce the law for the punishment of idle beggars and the provision of parochial relief to the deserving poor².

A third circumstance indicates official confidence that Erskine of Dun was a supporter of the administration. In April, 1579, Morton's most dangerous opponent, the earl of Athole, died after having dined at the ex-regent's table. A departure so convenient for Morton, together with the mere sequence of events, naturally gave rise to rumours of foul play, and the Privy Council was summoned to meet in Stirling to decide upon the cause of death, Erskine being one of those called to attend the inquiry, which was fixed for 15 May³. It would appear that the post mortem examination did not take place till June⁴, nor is there any record of Erskine's presence, which the custody of Redcastle would render a matter of difficulty, but the fact that he was instructed to attend is enough to show what his political sympathies were presumed to be.

These considerations seem to establish beyond reasonable doubt that during the renewed ascendancy of Morton the laird of Dun was far from being one of his implacable foes. But the Church was still disposed to regard the earl with enmity and the General Assembly of October, 1578, appealed to certain of his titled opponents to assist it in securing recognition of the Book of Policy⁵. A professedly royal letter read at the next Assembly, at which Erskine was present⁶, gave the mem-

1. 14 April, 1579. R.P.C., III, 137-138.

2. 13 February, 1579-80. Ibid., 266.

3. Letter of 10 May, 1579, from Adam Erskine, commendator of Cambuskenneth to Robert Erskine younger of Dun. Sp. Misc., IV, 61.

4. R.P.C., III, 185.

5. Cald., III, 427-428.

6. 7 July, 1579. BK. Univ. Kirk, II, 427; Cald., III, 443.

bers further grounds for suspicion of Morton's attitude toward ecclesiastical claims¹. It demanded that the Assembly should cease to canvass its coveted charter, but that body evidently detected the purpose of delay behind the injunction, and Erskine may have shared its resentment. At all events he was one of six, including Andrew Melville², instructed to petition the king that the consideration of the Policy of the Kirk might be hastened, and the delegates were also to crave that no royal stay of execution should be issued against acts of Assembly and that the reorganisation of the University of St. Andrews should be taken in hand³. The last-mentioned desire may well have been the main reason for Erskine's appearance on the deputation. He had been requested by the Assembly in 1576 to report upon the condition of the university, and it is likely enough that on this occasion he was able to advance sound arguments for a reformation. A royal commission was certainly appointed which drew up, and on 8 November, 1579, presented, a comprehensive recommendation dealing with the instruction considered necessary, regulations governing the award of bursaries, the restoration of lapsed discipline, financial arrangements and other requisite changes⁴; the report was adopted and given the force of law, and Erskine of Dun was one of the commissioners appointed by Parliament to see that the statute was carried into effect⁵.

This parliament of November, 1579, dealt also with the prob-

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1. Cald., III, 443-444. The ecclesiastical standing of Erskine among his brethren at this time, when Melville was fighting hard against episcopacy, may be gauged from his appointment by this Assembly to a commissionership for Angus and Mearns along with Christison of Dundee (Bk. Univ. Kirk, II, 435): in the previous year he had served as commissioner for another district (see p. 227, note 1), where a fresh appointment was made: so that he was evidently no longer regarded as a superintendent with a definite diocese, though in the Register of the Modification and Assignment of Stipends he is given the title.
 2. Bk. Univ. Kirk, II, 436.
 3. Ibid., 437-438; Cald., III, 446-447.
 4. The month of September was considered a sufficient "vaicance".
 5. A.P.S., III, 178-182.

lem of sturdy beggars, to the solution of which Erskine had been called. One shudders to think that the superintendent's 'gentle nature' may have been in no way offended by the gruesome preventive legislation that was enacted to reduce the number of vagabonds, from students of the universities down to gipsies and "personis able in body leving ydillie and fleing laubour". But his experience of ecclesiastical finance may have been of service in suggesting the collection of parochial rates to supplement the charity which a beggar's token might command, with the appointment of overseers to fix the assessment and distribute the proceeds; an excellent suggestion, but rendered nugatory by the permission to parishes to adopt the too easy alternative of issuing to the deserving poor licences to beg from door to door¹. But if these matters of interest to Erskine received flattering attention, the case was different in regard to the Kirk's jurisdiction. Commissioners were appointed by this parliament to convene in Edinburgh in April, 1580, "To searche furth mair specialie and to consider quhat vther speciall poyntis or claussis sould appertene to the iurisdiction privilege and auctoritie of the said Kirk and to report thair declaratioun thairanent to our souerane lord and thrie estatis of this parliament Swa that they may tak ordour thairintill and authorize the samyne be act of parliament as salbe found agreeable to the word of god"². That no excess of zeal might expedite the commission's belated labours, Morton himself had a place on it, and though Erskine, Spottiswoode and three other ministers were members, as was Patrick Adamson, archbishop of St. Andrews, it was clear that procrastination was still the policy of the State. 1579 allocation was over 1000 lib. in

At this very time the laird of Dun was appointed a member

1. A.P.S., III, 138-142.

2. Ibid., 137-138.

3. H.P.C., III, 210.

4. 74778 lib. 5s. 6d. Reg. Thirsk, 1577, f. 32a.

of the Privy Council¹, and it is not unfair to suppose that the evident credit in which he stood with Morton implied a divergence of opinion between Erskine and the party of Melville. Neither side could look with satisfaction on the interested efforts of a selfish nobility to thwart the Church, but, bound up with the demand for a separate ecclesiastical jurisdiction, was the Melvillian condemnation of episcopal control². Melville was not only opposed to what he called pseudepiscopacy, but certainly had no love for a permanent overseer even in the person of a superintendent. Erskine was probably repelled to some extent by this insistence on non-episcopal church government, for he certainly valued his office and clung to the duties, privileges and stipend³. His resignation, of course, could not possibly have brought nearer the realisation of Melville's dreams, but he manifested no disposition to regard his official functions as unnecessary to the welfare of the Church. And perhaps the Church was not altogether disinclined to recognise the usefulness, if it tended to deny to him the title, of a superintendent, if only as a recognised alternative to state-appointed bishops.

Apart from the anti-episcopal agitation and the larger question of the Kirk's jurisdiction, wherein little progress was made by the officials of the Church⁴, ecclesiastical affairs in Scotland in 1579 were in a fairly satisfactory state. The thirds in that year were better collected than in 1578, and most of the districts received a slightly increased allotment of money, but ecclesiastical receipts were little different in the aggregate, being only some 340 lib. more than in the previous year⁵. The amount 'given free', however, began to rise again, and the 1579 allocation was over 1000 lib. in ex-

1. 11 November, 1579; A.P.S., III, 150.

2. Letter from Melville to Beza, McCrie's Melville, 72; also (dated 13 November, 1579) in Petrie, cent. XVI, pt. 3, p. 401.

3. cf. Sp. Misc., IV, 63, 65, 66, and H.M.C., Fifth Report, p. 636, no. 16.

4. R.P.C., III, 210.

5. 34778 lib. 9s.; Reg. Thirds, 1579, f. 99a.

cess of the preceding year's disbursement under this head¹, though students and bursars benefitted even in less proportion than the ministry². But one conclusion is warranted, that the rank and file of the ministry could depend with fair certainty upon the payment of the assigned incomes, modest though these might be³. Again, in June, 1579, the Privy Council agreed to recommend that the abbeys of Arbroath and Paisley, to which sixty-five parish churches were annexed, should be dissolved and ministers appointed to as many of the livings as were capable of supporting an incumbent. Morton was not present when the decision was come to, and the registration of the Council's ~~decision~~ ^{decree} ad futuram rei memoriam was ineffective, but for the time being the Church appeared to have gained a notable triumph⁴. Further, in February, 1579-80, the repeated prayers of the Church were answered by the issue of a Privy Council warrant to bishops, superintendents and commissioners to nominate persons who should receive letters under the privy seal appointing them justices to execute in rural parishes the laws enjoining on house-holders the possession of Bibles and psalm-books, and forbidding profane language, disturbance of Divine service, playing or drinking during the hours of service, the holding of Sunday markets, and other public scandals⁵.

But a danger beset the Church before the end of 1579 which was to inaugurate a period of uncertainty destined to endure pretty well to the time of the king's accession to the throne of England, for in September of that year Esmé Stewart, lord of Aubigny and cousin of the king's father, arrived in Scotland. An agent of the Guises, despatched to effect the

1. Reg. Thirds, 1579, f. 104b.

2. They received 1377 lib. 17s. 1d. in 1579 (Reg. Thirds, 1579, f. 102a) as against 1320 lib. 0s. 4d. in 1578.

3. That even in districts agriculturally rich they required parochial supplement appears from the R.P.C., III, 95.

4. R.P.C., III, 176. 177.

5. Ibid., 266.

restoration of Mary Stewart and the Roman Catholic faith, his handsome appearance, courtly ways and diplomatic skill soon won for him the extravagant affection of the young king. But his motives were suspect from the first, and the Church, with a power of moulding public opinion which the modern press has never possessed, set itself to counter his designs, unless he gave unmistakable proof of Protestant orthodoxy¹. If, as he protested before his execution, Morton had merely followed the course that seemed best "in consideration of the estat of all things as they were" and had never acted toward the Church in contempt or of malice², he found as d'Aubigny supplanted him that he might have been guilty of both without making the Church more hostile to him, and he was speedily left with but few friends. His fall was engineered and his death compassed by the new favourite, whose schemes were evident from the charges laid against the ex-regent, and when Morton was beheaded the Church lost a better friend than most of its members had reckoned him.

D'Aubigny was quickly promoted to honours and wealth, and as earl, and later duke, of Lennox he wielded a power as great as that of any regent. Yet even he was constrained to lull Protestant suspicion by professing the Protestant faith³, an almost inevitable sequel to the establishment in the royal household of "the stait of a reformat kirk" in February, 1579-80⁴. But his accomplished acting was not successful in securing for him the support of the ministers, though for a time it seemed as if those of Edinburgh might be deceived by his dissimulation⁵. The suspicion of the ministry was shared by England, and William Cecil looked to the Church of Scotland to abase d'Aubigny's credit⁶, while reported activities on the

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1. Cald., III, 461 and Bowes, 21.
 2. Cald., III, 565.
 3. Bowes, 24 and Cald., III, 468, 477.
 4. R.P.C., III, 264-265.
 5. Bowes, 56, 64.
 6. Ibid., 32.

Continent indicated that hopes were high of a successful onslaught on Protestantism, to begin in Scotland¹. Elizabeth's representative north of the Tweed, Robert Bowes of Aske, found it easier to obtain the Church's support than did Morton, for he reported that with two exceptions he had been unable to induce any of the ministers to accept gifts of money, though they were "good instruments to advance the best effects in their powers", particularly those of the capital, who had a heavy bill against the friends of Lennox². Yet before the meeting of the General Assembly of July, 1580, the royal favourite had consolidated his position with the king, and was making a serious bid for popular favour by supporting the petitions of the burghs³, a move calculated to do more for him than his ostensible surrender of the Roman faith.

When the Assembly met on 12 July at Dundee⁴, the members must have been in a state of doubt and agitation to which many of them were almost total strangers, and the demands and decisions which are on record testify to the extremity of their fear. It was urged that all pensions out of the Thirds should be revoked and the collection entrusted to the Church, which guaranteed to the king "a sufficient superplus for susteaining of [his] Highnesse' publict effaires"; a series of petitions showed the anxiety of the Assembly that incumbents should be under the control of the Church courts; loss of benefice was to follow suspension from office, presentation otherwise than by commission of the General Assembly was to be void, and pastors were to receive the fruits of any benefices which fell vacant within the bounds assigned to them; the Book of Policy was to receive the recognition of the Privy Council pending its approval by Parliament⁵. To these demands was annexed a series of acts,

1. Bowes, 48-49.

2. Ibid., 78. Letter of 3 June, 1580, to Burghley and Walsingham.

3. Ibid., 84. Letter of 9 July, 1580, to Burghley and Walsingham.

4. Cald., III, 463; Bk. Univ. Kirk, II, 449.

5. Cald., III, 466-467.

of which the more important abolished, so far as the private law of the Church was concerned, the office of bishop, enacted that excommunication should be the penalty for wilful dilapidation of the patrimony of the Kirk, directed that readers who were not qualified to undertake full ministerial duties should be deposed, and that no further appointments to readerships should be made¹, and declared that it was contrary to Divine law to require of one minister the supervision of more than one congregation².

The danger in which the Church stood from Jesuit and French activity, and the known intention of restoring Mary Stewart to the throne by French and Spanish help, could be regarded only with alarm by the laird of Dun. He was at the time in feeble health and was unable to attend the Assembly whose acts and proceedings have just been related, but the following letter³ speaks for itself. "To the right honorable lard of Dune, superintendent of Anguse and Merns. Grace mercie and peace. Of our proceadings in our generall assemblie, and sute in court thir many days bypast, our brother Mr Andro Myll [Andrew Melville], quha always assistes with his presence and counsell, can give you mair speciall information then we ar able presentlie to put in writt. Quhat succes our maters sall have in counsell we ar yit incertain, but fearis it sall not be according to our desire, and the necessitie of this horrible confusion, quhilk is lyk to wraik the kirk of God in this countree. Your presence wald have beine to vs comfortable and maist profitable for the weightie matters we have in hand, quhilk seing it hes pleasit God be the weakness and disease of your body to deny vs, we maist earnestlie request you that from tyme to tyme ye will lett vs vnderstand your godlie counsell and iudgement con-

1. This was not observed, and a purpose behind the measure was evidently unwillingness to confess that there was not available a supply of ministers fully qualified for parochial duty; cf. the act which follows.
2. Cald., III, 470-471.
3. Sp. Misc., IV, 64.

cernyng the vphold of thir ruynous wallis of afflicted Jerusalem. The Lord God preserve you for the confort of your puir brethren, and defence of his cause in thir maist dangerouse dayis. From Sanct Andres the xxx of Julij 1580. Your brother to his power for euer Thomas Smeton¹, at the command of the brethren send in commission". In like manner the ministers prove That John Erskine was in fact ill is reasonably presumed from an entry in one of the Montrose Burgh Papers², and the letter quoted proves that in their extremity the leaders of the Church were more than willing to turn for guidance to one who had passed through the trying times of twenty years before. Nor can there be any doubt as to Erskine's views: his dread of French domination had made him a firm believer in the English alliance, a fact which may have made him more tolerant of Morton's policy than were Melville and his sympathisers. That alliance was now in danger. Unfortunately we do not know what advice he tendered to his colleagues at this period, though it is likely he approved, if he did not counsel, the step which was taken in September, when certain of the ministers interviewed the king and warned him earnestly to beware of the French plots against religion³, and he may even have assented to the denunciations of Lennox and his attendant Papists which shook the pulpits of the land.

At the time of the July Assembly the commercial community was seriously annoyed by some acts of piracy in which Englishmen were the aggressors and Scots the sufferers⁴. The interest which Lennox had shown in the claims of the merchant classes was likely, under these circumstances, to win him fresh

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1. Successor of Andrew Melville as principal of Glasgow University.
 2. Protocol Book of 26 May, 1579, to 17 January, 1583-84, f. 15a, 22 July, 1580: "William Paniter allegit hyme to be admirall deput to Johne eriskin prouest of montross and thairfor desyrit to haue the Intromissione with villiame sibbald schip and guidis". Evidently Panter had been appointed Erskine's deputy not long before, and the laird's illness was no doubt the reason.
 3. Bowes, 126, letter of 20 September to Burghley and Walsingham.
 4. Ibid., 86, 89, 90.

support, but we may be sure that the provost of Montrose did all in his power to abate mercantile wrath, and the merchants of Edinburgh, in name of the burghs, assured Bowes of their fixed intention to preserve the English alliance, affirming that to Elizabeth, after their own sovereign, "they stoode most bounde and devoted". And in like manner the ministers professed to him their care to foster Anglophil feeling, and he himself testified that, both by public exhortation and by earnest intercession with James, they had endeavoured to persuade the king, nobles and commons to preserve friendship with England¹. It is probable that, had Erskine been a younger and more active man, he might have attempted to restrain the violence of clerical oratory which the prevailing excitement encouraged, for not only were the king and the party of Lennox irritated by its pointed fluency², but even Morton, who could have been the main political support of the Church, was enraged by the intemperate hostility of John Durie³. But his success would in all likelihood have been slight, for, under the leadership of Melville, the more vocal of the ministers were bent on magnifying their office.

In one respect, at least, we may trace in Erskine's activities a ^{possible} willingness to modify his views of Church government in face of the crisis which affairs had reached. He had, we may presume from the moderation of his answers in the Assembly when his conduct as a superintendent had been called in question, no objection to corporate control over the higher officials, if any, of the Church. Accordingly, when the setting-up of presbyteries or sub-district assemblies was undertaken, the laird was one of six requested by the Assembly of October, 1580, to devise, in conjunction with the Clerk Register, the

1. Bowes, 149-150, letter of 18 October, 1580.

2. Ibid., 136-137.

3. Ibid., 140.

necessary measure¹, though the office of visitor was to continue till the scheme should be formulated and the presbyteries take over the duties of supervision. Erskine of Dun thus by implication consented to an extension of popular control within the Church at a time when a hierarch, however constitutional, could contribute little to its safety.

The early ecclesiastical historians are agreed upon a reason for the suggested institution, that "the visitation of kirks to stand in one man's persone tends to tyrannie and corruption"². But statements have a way of being repeated without affording any confirmation of their truth, and it is certain that this was not the main reason for the proposal, though the Assembly saw fit to embody the opinion in an act³. The safeguard of constant change was available to the Church⁴, and the tyranny which it feared was from without, not from within. In short, the erection of presbyteries had its origin in the desire to broaden the basis of popular opposition to a policy and a danger which could be countered, if at all, only by those courts of the Church where alone criticism was free and the tongue untamed. A servile parliament with an out-of-date procedure, and imperfectly representative, was no barrier against royal tyranny, spontaneous or inspired, but in the ecclesiastical assemblies sat laymen of all classes, urged by the growing national consciousness to question the right of the crown to decide matters affecting alike their spiritual and their temporal independence. The inclusion of Erskine on the Assembly's committee to "draw up a platforme of Presbyteries" was doubtless a timely and tactful admission that he at least was

1. Bk.Univ.Kirk,II,463; Cald.,III,476.

2. Row,81. See also Cald.,III,476, and Petrie,cent.xvi,pt.3,p.405.

3. Cald.,III,478.

4. Earlier in the present chapter we have seen that even the laird of Dun could be appointed a commissioner for another district than Angus and Mearns, and this Assembly of October,1584,associated a third visitor with Erskine and Christison for that area. Bk.Univ.Kirk,II,470.

not guilty of the ecclesiastical tyranny and corruption of which his brethren professed to stand in fear.

By the end of 1580 Morton had been committed to ward and Lennox had no rival save his ambitious and unscrupulous assistant, Captain James Stewart of Ochiltree, soon to be earl of Arran. But Lennox had been too shrewd to give the Church avoidable causes of complaint, and the payments to the ministry for the year 1580 showed an increase of more than 2000 lib. over those of 1579¹, the Church receiving seventy-one per cent. of the collected total². It may be worth noting that only in the case of Angus and Mearns is the money payment of a superintendent provided for³, the money assigned to that district rising from 4675 lib.18s. in 1579⁴ to 5148 lib.1s.10d.⁵; and in both years the assignation was fully paid⁶, the supervision of local payments apparently still resting with the superintendent⁷.

The year 1581 saw the yield of the thirds go up by nearly 4000 lib.⁸, though with little benefit to the Church, for its receipts were only sixty-seven per cent. of the income⁹. But if ministerial stipends seem to have been regular, ministerial minds were assuredly perturbed, for rumours were abroad as early as January, 1580-81, of appeals by Lennox to France for military assistance, and of a French purpose of winning the king from the English alliance by lavish offers of money¹⁰. That

1. 36885 lib.14s.3d.. Reg.Thirds,1580,f.99a.

2. viz.51536 lib.. Reg.Thirds,1580,f.48a.

3. This is also true of the discharge of bere, but meal was provided for superintendents in Fife and Lothian(Reg.Thirds, 1580,f.75a)as well as for Brechin(Ibid.,f.74b).Spottiswoode had a pension from the superplus of the thirds(cf.Reg.Thirds,1580,f.105b; 1581,f.106b; 1582,f.103b).

4. Reg.Mod.and Assig.of Stipends,1579,f.29b.

5. Ibid.,1580,f.30a.

6. Reg.Thirds,1579,f.98b; 1580,f.98b.

7. Reg.Episc.Brechin.,II,309.

8. 55283 lib.17s.4d.,Reg.Thirds,1581,f.48b.

9. 37051 lib.8s.1d.,Ibid.,f.100a.No superintendent is referred to in connection with payments of either victual or money except for the district of Angus and Mearns.

10. Bowes,163-164.

in the same month the Second Confession of Faith¹ was subscribed by the king and his household², and that little over a month later all ranks were ordered to do the same³, was an obvious subterfuge to secure immunity from criticism. Meantime the government apparently made every effort to pacify the laird of Dun. The observance of Lent had been proclaimed in the principal burghs⁴, but the king issued to John Erskine of Dun, his "weilbelouit counsallour", and his household a licence to eat flesh as often as they pleased, notwithstanding the recent royal inhibition⁵: and in the same month the laird of Dun was summoned to a convention at Edinburgh⁶. Further, when lord Innermeath complained that his worthless step-father had attacked and taken Redcastle⁷, a letter over the king's signature was despatched to his "richt traist freind the Laird of Dun, ane of [his Majesty's] ordinarie counsallours, or in cace of his indispositioun and inabilitie to travell, to his sonne Robert Erskin younger, of Dwn", to besiege the said house with fire, sword, and all other kinds of warlike engines⁸. The laird was evidently and naturally unfitted by age for undertakings of so strenuous a character, for, when the provost and baillies of Dundee were ordered to give all necessary assistance, it was Robert Erskine whom they were instructed to aid in the reduction of the castle⁹. But it is beyond dispute that both before and after the fall of Morton, those in power were determined that Erskine should be convinced of their goodwill, presumptive evidence that his ecclesiastical influence was considerable.

1. Cald., III, 502-505.

2. Ibid., 501.

3. Ibid., 502.

4. L.H.T., MS. Vol. 1579-1581, f. 39b in the last numeration.

5. 10 February, 1580-81, H.M.C., Fifth Report, p. 640, no. 68.

6. L.H.T., MS. Vol. 1579-1581, f. 40b in the last numeration.

7. R.P.C., III, 361.

8. 1 March, 1580-81, H.M.C., Fifth Report, p. 636, no. 11.

9. 12 March, 1580-81, Sp. Misc. IV, 68. The siege was apparently a short one, or may have proved unnecessary, for two days after Dundee was ordered to take part in it the king was aware that Redcastle had fallen and Robert Erskine was instructed to deliver it to lord Innermeath, 14 March, 1580-81; Sp.

Misc., IV, 69.

Erskine's feeble health probably prevented him from making the journey to Glasgow for the General Assembly of April, 1581. Its proceedings were of the first importance, for a royal communication¹ indicated the king's willingness to consent to the erection of presbyteries and gave apparent proof of his desire to have the endowment and the polity of the Church set on a satisfactory footing. So far from accepting the Book of Policy, however, the royal letter assumed that an approved scheme had still to be drawn up. But the financial suggestions were definite enough. Outside Argyll and the Isles there existed nine hundred and twenty-four parishes, many of them small and some without churches. The proposal was to reduce this number to six hundred, to set a minister over each parish, and to allot stipends as follows:-

"An hundreth at	500 merk the peece.
Two hundreth at	300 merk the peece.
Two hundreth at	100 pund the peece.
An hundreth at	100 merk the peece.

"Or somewhat more or lesse, as it may be neere thir summes, beneath or above".

The proviso was wise, for the offer might well have been discredited by its very munificence. Even allowing that these sums were to include the value of payments in kind, we cannot conceive how they were to have been forthcoming, for to distribute 100000 lib. to the ministry and leave a surplus for purposes of state would have entailed so radical an alteration in the administration of the country that the throne might have been endangered. It is abundantly evident from the figures which have been quoted from the Register of the Thirds for various preceding years that the offer was made pessima fide, and later figures will confirm this view, but the credulous Assembly, "understanding what was his Majestie's care over the

1. Cald., III, 516-521.

kirk, praised God, that he had so moved his heart". The prospect was certainly bright to those who believed in the honesty of the king or his advisers, and it is possible that the aged superintendent was deceived, though in respect of the Book of Policy the Assembly was sufficiently doubtful of its acceptance to order its registration that posterity might judge well of the generation which had framed it¹.

Meantime the work of establishing presbyteries could be proceeded with, the Assembly having appointed small committees to that end. Erskine and three others were deputed to arrange for their institution in Angus², but it is doubtful whether the laird was able to take any share in the deliberations, though an agreement was reached³, and he was commissioned by the Assembly of October, 1581, "to travell diligentlie in erectioun of Presbyteries"⁴, and by the following April it was reported that they had been set up not long previously at Montrose, Brechin, and Dundee, though at that time no meetings had taken place⁵.

The apparent harmony between Church and State was continued for the greater part of the year⁶, but the inevitable rupture came when the simoniacal bargain was known by which Robert Montgomery, minister of Stirling, was appointed archbishop of Glasgow on condition of dispoing the temporalities of the see to Lennox and his heirs in return for a yearly payment of a thousand pounds. The Assembly of October indicted Montgomery⁷. Ecclesiastical wrath constrained Lennox in December to declare his sincere belief in Protestantism⁸. Arran, offended by the elevation of Lennox to ducal rank, "flattered the ministers to procure their friendship"⁹. But the king patched up

1. Cald., III, 526.

2. Bk. Univ. Kirk, II, 487; Cald., III, 523-524.

3. Bk. Univ. Kirk, II, 524.

4. Ibid., 531.

5. Ibid., 549.

6. cf. R.P.C., III, 377, 383, 398.

7. Cald., III, 577-583.

8. R.P.C., III, 431-433.

9. Cald., III, 594.

a reconciliation between immigrant duke and upstart earl, and in March, 1581-82, the law was set in motion to secure the elevation of Montgomery to a state-controlled episcopacy¹. In the following month the king was assured that "the godlie were much offended, that the king and counsell sould decree, that they might dispo[n]e bishopricks, spirituallie and temporallie, pleno jure ,.....at their own pleasure", but he impenitently retorted that he would prevent the Church from excommunicating the would-be archbishop². When the Assembly met in April, 1582, at St. Andrews, it was prohibited by royal letters from proceeding to excommunication³, but, defying alike the royal inhibition and the edicts of the Privy Council⁴, it deprived Montgomery of all function in the ministry⁵. Rather surprisingly, the offender submitted himself to the will of the Assembly and promised to undertake no ecclesiastical office without the advice and consent of that body⁶, but, thinking better of his decision, he was excommunicated in the kirk of Liberton in June, 1582⁷.

The issue was simple. Was the king to be granted the right of wielding the "bloody guillie of absolute authority" in ecclesiastical affairs? Even the moderate superintendent of Angus could have but one answer. The Church must have the power of deposing from office those who proved unworthy of its trust: and when an extraordinary General Assembly met in Edinburgh in June⁸, John Erskine of Dun was one of those selected to present to the king "the speciall greives of the Kirk"⁹, the essence of which was "That your Majestie, be advyce of some Counsellours, is causit to take vpoun your Grace that spirituall

1. Cald., III, 596.

2. Ibid., 597.

3. Ibid., 601.

4. R.P.C., III, 474-477.

5. Cald., III, 602.

6. Ibid., 605.

7. Ibid., 621.

8. Bk. Univ. Kirk, II, 576; Cald., III, 622.

9. Bk. Univ. Kirk, II, 581; Cald., III, 627. The grievances are given in B.U.K., II, 581-584 and Cald., III, 628-630.

power and authoritie quhilk properlie belongs to Christ as only King and heid of the Kirk; the ministrie and executioun therof [^{are} only given] to such as beare office in the ecclesiastical government of the same; swa that in your Graces person, some men preases to erect an new Paipdome, as thogh your Majestie could not be full King and heid of this commoun wealth, unles asweill the spirituall as temporall sword be put in your Graces hand; vnlesse Christ be bereft of his authoritie, and the twa iurisdictionis confoundit, quhilk God hes divydit; quhilk directlie tends to the wrack of all true religioun"¹.

On 6 July the deputation interviewed the king and Council at Perth. When Arran demanded who dared subscribe the treasonable articles presented, Andrew Melville immediately attached his signature to them, and the others promptly followed his example². Petrie has preserved for us the names of those who accompanied Melville on this famous occasion³, and John Erskine was there to testify that, while he might differ from many of his brethren on certain matters of internal ecclesiastical polity, he was no Erastian when unworthy persons were intruded upon the ministry, the exercise of Church discipline was met by threats of outlawry, violence was offered to ecclesiastical officials engaged in their lawful duties, and the statutes of the realm against crime and heresy were a dead letter. The petition of Perth contained nothing controversial regarding the theory of episcopacy or the limits of ecclesiastical jurisdiction, and, as he unhesitatingly lifted the pen to sign his name, Erskine must have thrilled with a memory of the time when his hand had gripped a sword, and graver dangers than the ire of Arran had beset the champions of the reformed faith.

1. Bk. Univ. Kirk, II, 582; Cald., III, 628.

2. Cald., III, 631.

3. John Erskine of Dun, Thomas Smeaton, Robert Pont, David Lindsay, Andrew Hay, Peter Blackburn, Thomas Buchanan and Patrick Galloway. - Petrie, cent. XVI, pt. 3, p. 431.

But the Church had more to fear than a royal ecclesiastical tyranny. Her very existence was at stake. It was clear that Roman Catholic activity was on the increase. We know, and the Church guessed, that France, Spain and the Papacy were engaged in intrigues designed to eradicate the Protestant religion in Scotland. Lennox, with Jesuit help, was the chosen instrument to effect the hoped-for change. To that end he was prepared by a coup d'état to clear from his path the friends of the house of Douglas, still faithful to Morton's foreign policy, and imprison the ministerial leaders of ecclesiastical discontent¹. But on the eve of executing his plan, he lost the advantage which gave him a predominance of authority when the Ruthven Raid put the person of the king in the keeping of the nobles whose downfall he had meditated, and he lacked the courage to put his political fortunes to the test of armed conflict.

1. Cald., III, 632-633.

to His Highness: own person, outfit, and expenses, . . . The Church took steps to have this declaration endorsed², and their efforts met with considerable success among the barons and gentry, though the nobility did not show the same readiness to subscribe³.

CHAPTER XII. 1582-1586.

By the Raid of Ruthven the continuance of the English alliance was guaranteed so long as its prime movers remained in power, while, foreign policy apart, its professed purpose of protecting the commonwealth and the Church from the machinations of Lennox and "him who is called Erle of Arran", together with its protest against Roman Catholic influences¹, would have secured for the participants in that bloodless revolution the approval of the ministry. There can be no question that the change in the executive was popular, at least outside the capital, and less than a fortnight after the Raid took place the Council issued what amounted to a charter of ecclesiastical liberties authorising the Church to hold its assemblies, general or other, and freely to preach the Word of God and reprove iniquity². But in its political and its religious aspects the change was hateful to the young king, who regretted the cessation of that mirthful licence which Lennox and Arran had promoted at court; the king's discontent, however, was the measure of the Church's elation.

The nobles responsible for the Raid naturally endeavoured to put a fair face upon their conduct, and in September, 1582, issued "A declaration of the just and necessar causes moving . . . the nobilitie of Scotland, and others the King's Majestie's faithfull subjects, to repaire to His Hienesse' presence, and to remaine with him, for resisting of the present dangers appearing to God's true religion and professors therof, and

1. Cald., III, 637-640.

2. Ibid., 650-651; R.P.C., III, 513.

to His Highnesse' owne person, estat, and crowne....."¹. The Church took steps to have this declaration endorsed², and their efforts met with considerable success among the barons and gentry, though the nobility did not show the same readiness to subscribe³. Apparently the assistance of Erskine was invoked, for letters "with the generale band" were despatched from Stirling to the laird, and to the ministers of Dundee and Arbroath among others⁴, and friendship for England, loyalty to the head of his house and fidelity to his faith no doubt made Erskine an earnest advocate of subscription in his own district.

At the meeting of the General Assembly in October, 1582, collective approval of the Raid was emphasised by the instruction that every minister at the first opportunity should make plain to his parishioners from how great a danger Church, King and State had been delivered. The Assembly did not mean to let slip the opportunity of profit which the political situation offered, and the work of establishing presbyteries was continued, while their standing as courts of ecclesiastical jurisdiction was marked by their being entrusted with the indictment and trial of the detested bishops: the Council was petitioned to approve the new organisation, delegation to the presbyteries of certain powers till then possessed by bishops, superintendents and visitors was desired, and the restoration of the thirds to the Church was demanded⁵. But if the ministry was fired at this juncture by an unwonted optimism, John Erskine can hardly have felt a corresponding cheerfulness. The office of superintendent, in which he had faithfully served the Church for many anxious years, was plainly considered an obsolete institution, and the proposed devolution of authority to the newly erected presbyteries must have raised at least occasional doubts in Erskine's mind.

1. Cald., III, 651-665.

2. Ibid., 675.

3. Bowes, 195.

4. L.H.T., MS. Vol. 1581-1583, f. 79a.

5. Cald., III, 679-684.

The jubilation of the ministry was not long-lived. Hardly had Lennox quitted Scotland in December, 1582, when two French ambassadors arrived to take his place, and so efficient was their diplomacy that, before the General Assembly met in April, 1583, a scheme was laid whereby the government of the Ruthven Raiders should be overturned the moment James could slip from their surveillance. That Assembly was seriously perturbed¹, and evidently felt that the Church's safeguards needed immediate strengthening, for the presbyteries were ordered to send representatives to report to a central committee upon the condition of their respective areas, and the committee, thus advised, was empowered to treat with the king and Council "for a solide order and forme of provisioun of the ministers' stipends and estat of the kirk.....and reduce the samin to a certan perfectioun"². John Erskine was a member of this committee, but it seems probable, from the paucity of the references to him about this time, that he was not very active, and in any case the king's escape to St. Andrews on 27 June, and the consequent supplanting of the Ruthven Raiders by Huntly, Rothes and others, were staggering blows to the hopes of the Church. The assumption that Erskine was disposed at this period to lay down some of his responsibilities is borne out by the fact that just before the change in the Church's fortunes he resigned the living of Dun, to which Andrew Strathauchin was presented³, the value of the charge having been augmented by the annexation to it of the small benefice of Eaglesjohn, within the bounds of the same parish, "being of auld ane chapell erectit for pilgrimage and having onlie the teind of ane pleuch of land or thairby"⁴. The burden of years was doubtless pressing heavily upon Erskine, and apparently he considered that the

1. Cald., III, 706.

2. Ibid., 710; Bk. Univ. Kirk, II, 612.

3. 20 May, 1583. Reg. Present. to Benefices, II, f. 89b. See Appendix M.

4. Ibid., f. 88b.

parish required a more energetic pastor than his age permitted him to be¹. But if he looked for a period of restful retirement, his desires were not gratified. Though a pardon was disingenuously offered to those of the Raiders who would profess penitence, their exclusion from power was guaranteed by the reappearance of Arran as Chief Minister, and the depression of the Church was unmistakable. But it was no part of the royal policy to offend the ministers beyond all hope of reconciliation, for James could not tell whether he would eventually find in Protestants or in Roman Catholics the more effective allies in his schemes of dynastic aggrandisement. Equally, however, it was unthinkable that Arran's influence and the king's preference would permit the Church to strengthen its weakened position. Toward the end of 1583 the uncertainty of the time called Erskine out again, and he was associated with certain laymen and ministers in an effort to procure agreement between the king and the Anglophil Protestant nobles. "But nothing could be effectuated. Ather must the decourted noblemen submit themselves, and acknowledge a fault, and suche as are charged to waird must enter, or ellis depart out of the land"². Erskine's share in these negotiations was not verbal merely, for in December, along with Stirling of Keir and Murray of Tullibardine, he signed a bond of caution in ten thousand pounds for William Erskine, commendator of Paisley, that he should, when released from Doune Castle, enter in ward within the bounds of Renfrewshire³. The laird's son, Robert, fiar of Dun, was equally ready to find guarantees, in his case for Adam Erskine, commendator of Cambuskenneth⁴. But Adam failed to observe the prescribed conditions,

1. In 1586 the laird gave sasine to Strathauchin and his wife, Christine Arbuthnot, of an annual rent of thirty-five bolls of victual out of the Mains of Dun (Dun Writs, Bundle XXIV, no. 3), but this was surrendered in the next year on payment of a thousand merks (Ibid., no. 4). The stipend of the enlarged parish was 101 lib. (cf. Reg. of Modif. and Assig., vol. 1585-1586, f. 17b).

2. Cald., III, 751.

3. R.P.C., III, 623.

4. Ibid., 619.

being one of those forfeited by the parliament of August, 1584, as was the commendator of Paisley¹, and Robert was called upon to pay 2500 lib. as his share of the caution-money², a penalty which apparently reduced him to the necessity of seeking financial assistance³.

James was playing a double game, and his hopeful advances to the Pope⁴ made him the less disposed to placate the Church of Scotland. The Church in turn looked more and more to the Protestant lords for deliverance from its fears. The Catholic representatives of the house of Hamilton, too, were eager to wreak vengeance on the upstart despoiler of their honours and heritage. Popular opinion was on the side of discontent. In April, 1584, the "lords reformers" seized the castle of Stirling, but the enterprise was their ruin, for the king anticipated the arrival of their friends, the castle was tamely surrendered, the chief conspirators fled, and Arran was free to lay down a policy of tyrannical repression. It was fortunate for Erskine that he stood well with the government⁵, for his family connection with some of the Ruthven Raiders might have brought him under suspicion. His age, no doubt, was a certain protection, but his activities during 1584 prove that he was no extreme Presbyterian, and Arran may have hoped to find in Erskine a more than lukewarm supporter of his Erastian schemes, and may even have used Erskine's connection with the Raiders as a weapon to extort from him an expiatory acquiescence in his projects.

The grass did not grow under Arran's feet. In May an irregularly summoned parliament, carefully packed⁶, met in Edin-

1. A.P.S., III, 336.

2. R.P.C., III, 700; H.M.C., Fifth Report, p. 640, no. 71.

3. Sp. Misc., IV, 78-80, Deed by Alexander, lord Spynie.

4. See Hume Brown's Scotland, II, 193-194.

5. A licence was granted on 25 April, 1584, to him and to "his bairnis, freindis, men tennentis, seruandis and propir dependaris" to remain from the army summoned to Stirling. H.M.C., Fifth Report, p. 640, no. 70.

6. Cald., IV, 62; Petrie, cent. XVI, pt. 3, p. 442.

burgh, and proceeded to register the will of the Chief Minister and the king in a series of statutes known as the Black Acts. By the second act of this parliament was confirmed the royal power and authority over all classes and all individuals of whatsoever degree, function or condition, spiritual or temporal, and it was declared to be criminal to deny the jurisdiction of king or Council in any respect in which it might be asserted¹. The fourth act abolished all jurisdictions, spiritual and temporal, not approved by parliament, and forbade all assemblies or conventions, civil or ecclesiastical, except under royal licence². The fifth and perhaps most insidious act of all made bishops and royal commissioners the sole judges of ministerial fitness for office³. It was insidious because the enumerated reasons for deposition added unsoundness of doctrine to scandalous depravity of life: under both heads the episcopate had been attacked by the ministry, and this made it difficult for the Church to advance the uncompromising objections to the measure which were prompted by the obvious unfitness of many of the bishops to decide questions of doctrinal orthodoxy. The twentieth act confirmed the episcopate in its control of the Church and authorised the king to appoint Commissioners in Ecclesiastical Causes with episcopal powers, and, that none might set at naught the proposed control, it was enacted "that na presentationis to benefices be directit in tyme cumming to ony vtheris" than the dignitaries specified⁴. The parliament was continued till the following August, when it was laid down that all ministers, readers and masters of colleges or schools should, when required by their ordinary, whether bishop or commissioner, subscribe an undertaking to render dutiful submission to the Crown, obey the acts of the previous May, and yield obedience to the bishop or commissioner appointed by the

1. A.P.S., III, 292-293.

2. Ibid., 293.

3. Ibid., 293-294.

4. Ibid., 303.

crown to the exercise of spiritual jurisdiction in their diocese¹.

The statute of August, 1584, proves how unwilling the Church had been to agree to the ascendancy which the king had secured over it. Andrew Melville and others were no longer on the spot to resist the royal policy, and the promulgation of the Black Acts was followed by a further reduction in the ranks of those who had steadfastly opposed the crown, for several found it advisable to take refuge in England. But it did not require the leadership of the erudite Melville or the unlearned Durie to provoke in the Church a spirit of convinced opposition to a subordination as humiliating as it was complete. Never in the history of the Reformed Church had statutory interference with its courts been attempted. Nor did the additional law abate the unwillingness of the Church to endorse the Black Acts, and those who refused the oath of obedience had their stipends sequestrated². The extent to which this was done is reflected in the Register of the Thirds, where we obtain circumstantial evidence of the stubborn refusal of the ministers to surrender their claims.

The Register for the years 1582 and 1583 shows that the upward tendency, which has been previously remarked in the stipendiary allotments to the Church, was continued. In the former year, the total money charge against the Collector was 56076 lib.16s.7d.³. The distribution of victual was substantially on the lines of former years, and the money disbursed to the ministry in this year was 38629 lib.18s.⁴, an increase over the previous year of nearly 1600 lib., though the receipts had gone up by only half that sum; the figure represents nearly sixty-nine per cent. of the income, compared with the sixty-seven per cent. of 1581.

1. A.P.S., III, 347.

2. Spottiswoode, II, 320-321; Petrie, cent. XVI, pt. 3, p. 443.

3. Reg. Thirds, 1582, f. 48b.

4. Ibid., f. 103a.

In 1583, the charge against the Collector fell steeply to 48013 lib.16s.5d.¹, a decline perhaps attributable to the replacement of the Ruthven Raiders by the less popular Arran. But the 'assignments', which had of course been fixed before Arran's return to power, were apparently unaffected, the Church receiving money payments amounting to 40856 lib.4s.6d.², or over eighty-five per cent. of the distributable funds.

But the year 1584 saw a very different state of affairs. The income recovered to a great extent from the drop of the year before, reaching the total of 52046 lib.13s.3d.³, but the sums paid out to ministers only reached 35593 lib.9s.6d.⁴, though the payments on other accounts showed an increase⁵. This total in respect of ministerial stipends was less than that for 1583 by 5262 lib.5s., a falling-off of nearly thirteen per cent., and we may fairly assume that something like that percentage of the ministry lost their stipends in the year of the Black Acts for refusing subscription to the oath demanded of them. Nor is the ~~argument~~ ^{argument} weakened if the payments for the five years from 1580 to 1584 are examined.

Year	Amount paid to Ministers (to the nearest pound).	Difference from previous year.
1580.	36886.	+2108.
1581.	37051.	+ 165.
1582.	38630.	+1589.
1583.	40856.	+2226.
1584.	35593.	-5263.

The tabulation indicates that the Church might reasonably have looked for a money payment of not less than 42000 lib. in 1584, whereas the actual receipts were over fifteen per cent. short of that sum. Allowing for the probability that the ministers who suffered loss of stipend were as a rule the more

1. Reg.Thirds, 1583, f. 48a.

2. Ibid., f. 91a.

3. Reg.Thirds, 1584, f. 47b.

4. Ibid., f. 96a.

5. The only exception was that the payments to Students and Bursars decreased by the trifling sum of 13 lib.6s.8d..

prominent and in the main among the better paid, we are certainly warranted in supposing that at least one minister in ten was found sufficiently convinced of the iniquity of the recent legislation to forfeit his stipend.

But another, and for our present purposes a more interesting, deduction is to be drawn from the figures supplied by the Register, and again it may prove convenient to tabulate them¹.

Payments made to certain Dioceses or Districts
(to the nearest pound).

Year	Moray	Aberdeen	Brechin (Angus and Mearns)	Fife	Merse, ² Lothian, Linlithgow and East Stir- lingshire.	Clydesdale, Lennox and Renfrew.
1579 ³	2310	4325	4676	2650	5509	3257
1580 ⁴	2274	4398	5148	2782	6101	3508
1581 ⁵	2133	4300	4924	2881	5964	3556
1582 ⁶	2279	4845	4933	2833	6743	3559
1583 ⁷	2474	5151	5122	3259	7275	3929
1584 ⁸	2058	4855	5578	2506	5975	3202

In every case save one the payment for 1584 was less than in 1583 by a sum which varied from 296 lib. in Aberdeen to 1300 lib. in the Merse, Lothian, Linlithgowshire and East Stirlingshire, the percentage decrease ranging from 5.7 in Aberdeen to 23.1 in Fife; and in three cases it was the lowest for the whole period. But in Angus and the Mearns the payments rose by 456 lib., or eight per cent., to a figure never previously reached, and, even if we account for the increase by crediting

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1. May I say that the dioceses or districts have not been selected because the figures relating to them have a special significance not possessed by others?
 2. Edinburgh appeared under a separate heading.
 3. Reg. Thirds, 1579, f. 98a and b.
 4. Reg. Thirds, 1580, f. 98a and b.
 5. Reg. Thirds, 1581, f. 99a and b.
 6. Reg. Thirds, 1582, f. 96a and b.
 7. Reg. Thirds, 1583, f. 90a and b.
 8. Reg. Thirds, 1584, f. 95a and b.

it to Erskine of Dun¹, the mere fact that there was no decrease proves that the diocese of Brechin had few, if any, ministers who risked loss of stipend by refusal to take the oath of obedience. Now the reasons for this state of affairs are not far to seek. Erskine was appointed a Commissioner in Ecclesiastical Causes for the diocese of Brechin, his authority being limited only by the association with him of "thretteen of the most antient wise and godly pastors of the said diocy, to be elected forth of the wholl Synodall Assembly", and then only in "any grave matter"². The king, apparently impressed by the strength of the ecclesiastical opposition, had agreed that the ministers should append to their acceptance of the hated statutes the reservation that they were to be obeyed in so far as they were agreeable to the Word of God³, and the king also penned a 'mitigation' of the acts, which Petrie found at Dun⁴, to the effect that the Word of God should be truly and sincerely preached as before; that the process of excommunication should proceed as in the past; that the General Assembly should meet only on a royal summons; that fasts should be proclaimed by the Church only after the king had been satisfied as to the need for them; that all bishops nominated by the Crown should be tried and admitted by the General Assembly; and that trials for heresy should be ecclesiastical causes, the penalty to be executed by the king. It was further promised that the 'mitigation', which doubtless was acceptable in so far as the rights of excommunication and of the trial of bishops were conceded, would "bee als good and sufficient as an Act of Parliament"⁵.

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1. Brechin is the only diocese in which payments in money or in kind are designated as for a superintendent in 1584. In 1583 the only payment connected with a superintendent is one of wheat to Erskine as superintendent of Angus and Mearns (Reg. Thirs, 1583, f. 51a). Unfortunately the Register of Modification and Assignation has a gap from 1581 to 1584, but it is doubtful if Erskine got his full salary in 1583.
 2. Petrie, cent. XVI, pt. 3, p. 444. Erskine's patent was in existence in Petrie's time and was seen by the historian.
 3. Spottiswoode, II, 321.
 4. Petrie, cent. XVI, pt. 3, p. 448.
 5. Ibid..

How far the qualification of the royal attitude was due to Erskine's representations, we cannot tell¹, but the following letter to him from Montrose and the Secretary implies that he had attempted to secure agreement between the king and the Church, and confirms the impression that the laird of Dun was certainly not one of the high-flying Presbyterians. "Jesus. My lord and fader efter maist hartly commendationis I resaut your letter, ass alsua delyuerit your letter to the kings maiesty, quha tuik all your aduys in gud part, except the conuenying of the mynistre togidder quhill obediens be first to his maiesty's statutis, and to this effect his maiesty is content to send you an commissioun for the mynistre off Angus and Mernis, with the form of ane band to be subscriuit be the said mynistris within your jurisdiction, in conformitie to the band the mynistre hess subscriuit in thir quarteris, and seing that the mater debetable is nocht ane mater of consiens, I think ye sall do ueill to accept the king's maiesty's gud will and fauor in gud part, for his maiesty hess that gud oppynioun off yow that he will be layth to see any seditioun provyit or ministrat in your bundis, for his maiesty is alwayss uell myndit to yow in your particular, giff that the causs be nocht in your selff, for truly his hiness hess als gud oppynioun off you at this present, ass he hess off any subiect in Scotland Sua loking for your consent in the premissis, I committ you in the protection off Almychty at Edinburgh xviii day off Nouember, anno 1584. Your seruant to powar (signed) Montroiss. John Maitland. (Endorsed). To the rycht honorabill the lard off Dun this deluyer"².

It has been shown that the ministers within Erskine's jurisdiction must have subscribed the above-mentioned bond almost to a man, and it is evident from the letter itself that

1. But see p. 263.

2. Sp. Misc., IV, 69-70.

Erskine was active to secure such qualification of the obnoxious laws as would lead to ecclesiastical compliance with them. The laird's past care for the stipendiary finance of the diocese and his standing with the king would help to convince the subscribers that peace and prosperity would follow their act of submission. In any case, between the two extremes of absolute royal control of the Church on the one hand and absolute ecclesiastical independence on the other¹ was the middle course which must have commended itself to many, and the fact that Durie had been warded in the town of Montrose by the king's orders² may indicate that the district was indisposed to adopt the extremer attitude of Andrew Melville and his followers. Nor can it be supposed that Durie would be capable of stirring up violent opposition to the crown in the neighbourhood, for he was scarcely more than the willing mouthpiece of the Protestant ultramontanes; though well-meaning, he was lacking in education, and his powers of denunciation were pretty certainly greater than his gifts of persuasion.

About 20 January, 1584-85, the laird of Dun had evidently not received his commission, and he wrote to the archbishop of St. Andrews. The letter in reply³ assured Erskine that "the desyr of his maiesties obligatioun extendis no forthir bot to his hienes obedience, and of sik as bearis charge be lawfull commissioun in the cuntrie, quheirof his maiestie hes maid ane speciall chose of your lordship", an appeal to Erskine's self-importance which certainly suggests that that was the side of his character most open to assault in his old age. The flattery is resumed when the archbishop informs his correspondent, "I am assurit your lordship reparing towart court salbe ane gude vork, as ye bestowit mony in your tyme for ane Godly tranquillitie in the estait, quhilk we will luik for at the tyme

1. cf. Andrew Melville's declinature of the royal jurisdiction over the doctrine and utterances of the ministry in February, 1583-84. *Cald.*, IV, 10.

2. *Spottiswoode*, II, 315.

3. Dated 22 January, 1584-85. *Sp. Misc.*, IV, 70-71.

appoyntit"; and the laird is requested to act within the diocese of St. Andrews as he is doing in Brechin, an acceptable service to his majesty.

The brethren of the presbyteries of Montrose, Brechin and the Mearns were called to Montrose on 28 January, where their convention, lacking Erskine, "wes thocht to haif the less grace throch [his] lordship's absence, quhilk wes grytumlie desirit of.....all"¹, an equivocal remark not to be taken, let us hope, at its face value. The assembled ministers had two obligations put before them, the one unqualified by any condition, while the other had a modifying addition which rendered it more acceptable to them. What that addition was does not appear, but it was probably the 'modification' which the king had drafted or the reservation that the Black Acts should be accepted only in so far as they were agreeable to Divine truth. The ministers subscribed the second form, "haifing a gud hoip that God quhilk se mitigat the apperant straitnes of the said obligation will also work dayile mair to our confort". Apparently their fear was for their stipends, and the letter proceeds:- "Thair is some apperance of daunger if the said subscriptionis be nocht presentit before the first of Februar to his maiestie. Your lordship, as ye haif carit to keip the brethren fra grite trubill and skaith at this tyme, sua alsua your lordship will foresee and be cairfull heirof".

The conclusion is hardly to be avoided that the ministers of Angus and the Mearns must shoulder the responsibility for their act of subscription. The laird of Dun may have painted pictures of ministerial beggary, but even so he was doing nothing dishonourable, though he may be considered to have yielded too easily to the arguments and desires of the court: these were purely secular, it is true, but to the aged superintendent it may have seemed that the Church was drifting into a condition

1. Letter of 29 January, 1584-85, "To the richt honorabill the laird of Dwn, Superintendent of Anguse and Mernis". Sp. Misc., IV, 71-72.

of chronic revolt and untimely intolerance of control. Naturally, however, the feelings of the extreme Presbyterians were very bitter. One of them looked for little good from the ministers of the north, "for the Laird of Dun is a pest to them"¹, and had corrupted them all², while James Melville, criticising the royal 'mitigation' of the Black Acts, caustically announced that it had proved "but a Dun humble kow"³. The rancour of the high Presbyterians is easily understood, for the acceptance of the acts of 1584 meant in their opinion little short of spiritual death to the Church of Scotland, but their hostility is no absolute clue to the real state of affairs. Yet Melville's somewhat outrageous pun - if pun it be⁴ - certainly suggests that Erskine was largely instrumental in obtaining what to Melvillian sympathisers must have seemed a futile and dangerous qualification of the hated acts, and so persuading to signature many who would otherwise have stood firm for the independence of the Church. And to that extent we may hold Erskine to have lacked the insight and foresight necessary to counteract the political ambitions of a monarch who was to inform the English parliament twenty-five years later that kings were not only God's lieutenants upon earth and sat upon God's throne, but even by God himself were called gods, for which reason it was sedition in subjects to dispute what a king might do in the height of his power⁵. But at the age of seventy-six a man is commonly living in the past rather than for the future, and ecclesiastical peace must have appealed to Erskine of Dun as strongly as it did to his old friend, Spottiswoode, who died in this year. The son of the latter has left it on record

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1. Woodrow Misc., I, 432; letter from David Hume to James Carmichael of 15 March, 1584-85.
 2. Ibid., 436; letter of 9 April, 1585.
 3. Ibid., 438; letter from James Melville to James Carmichael of 2 January, 1585-86.
 4. In Calderwood's version (Hist., IV, 489) of the letter the pun, if any, is not recognised.
 5. Prothero's Select Statutes and other Constitutional Documents, edn. 1894, 293-294.

that in his old age the superintendent of Lothian lamented the state of the Church, foretelling that the ministers by their 'folly' would bring religion in hazard and provoke the king to forsake the truth: he therefore wished some to be placed over them to keep them in awe, for he believed that the policy of control was better than the "confused parity which men laboured to introduce"¹. And what is recorded of Spottiswoode may well have been true of Erskine of Dun.

A series of events in 1585 advertised to James the wisdom of arriving at a more friendly understanding with England, and the prospect of Scotland's closer union with her neighbour may have drawn Erskine into still more cordial relations with the king. Encouraged by Spain, the Guises established the Catholic League to exclude ^{from} the French succession the Protestant Henry of Navarre; Spain was to lend them assistance; success would mean the extension of Catholic aggression against the Protestants of England and Scotland; the dream of making Mary Stewart queen of both countries had not been forgotten. Accordingly, on 31 July, 1585, was drawn up the "Band anent the trew Relligioun", asserting the necessity of a Protestant league and especially of a firm union between the crowns of England and Scotland, and conferring upon James full power to contract an offensive and defensive alliance with Elizabeth². The laird of Dun was one of those who signed the band³, though his name does not appear in the sederunt of the convention which had been summoned; but he had certainly been invited to attend, and his summons would even appear to have been specially urgent⁴.

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1. Spottiswoode, II, 336-337. Archbishop Spottiswoode is naturally suspect when he provides arguments for episcopacy, but there seems little reason to question his accuracy in this case.
 2. A.P.S., III, 423-424; R.P.C., III, 760-761.
 3. A.P.S., III, 424.
 4. L.H.T., MS. Vol. 1585-1586, f. 73a. Letters were sent out broadcast in July, 1585. Each messenger normally had a batch of them, but the "clois lettre to the laird of dyne" was entrusted to a separate messenger, and his errand is entered in the Accounts as a separate item.

Two days earlier, news of an unfortunate Border fray had reached the court¹, and the fact that the Scots had been the aggressors made James the more eager to ~~XXXXX~~ ^{secure} agreement. But the incident had more far-reaching effects than the acceleration of the treaty negotiations, for the final result of Elizabeth's annoyance was the return of the Raiders who had found a refuge in England and the banishment from the Scottish court of Arran, the alleged instigator of the conflict. With the returned lords came home also the banished ministers, in high hope that their allies would procure for them such alteration of the law as would free the Church from state control.

These expectations were not realised, but the Crown was not indisposed to be generous within the limits which it had set. The better relations with England and the royal ascendancy over the Church were gains which James did not undervalue, and in any case the ministry was now incapable of presenting a united front to the encroachments of the State. But, although the Black Acts were not erased from the statute-book, the year 1585 was remarkable in that the Church received larger payments from the Thirds than had ever been allocated in the past, and although the new rate of payment was not continued many of the ministers must have reflected that sub-mission had been not unprofitable. So it must have seemed to the laird of Dun, for not only was he discharging at least some of his old duties once more², but the payment of his stipend was secured by royal precept.³

The Collector General acknowledged receipt of 58546 lib. 15s.6d. in 1585⁴, and he paid out to the dioceses or districts which have already been specially discussed⁵ the following amounts, to the nearest pound in each case:- to Moray, 3059 lib.;

1. Moysie's Memoirs, 53.

2. See Reg. Episc. Brechin., II, 351.

3. Extract "ex deliberatione dominorum scaccarii"; Sp. Misc., IV, 72.

4. Reg. Thirds, 1585, f. 49a.

5. See p. 258.

to Aberdeen, 7290 lib.; to Angus and the Mearns, 5201 lib.; to Fife, 5488 lib.; to the Merse, Lothian, Linlithgow and East Stirlingshire, 6535 lib.; and to Clydesdale, Lennox and Renfrew, 4717 lib.¹. A comparison of these figures with those previously given not only confirms what has been said about the docility of the ministers of Erskine's district in 1584, but also shows how anxious the king was to prove that State control did not connote financial hardship for the Church. True, Angus and the Mearns showed a falling-off, but the ministers there had had their tangible token of royal approval. Again, the total payments to the Church indicate the royal willingness to earn a reputation for generosity, for in 1585 they amounted to 51152 lib.9s.2d.², a sum far in excess of the ministerial receipts of previous years, and representing nearly eighty-eight per cent. of the Collector's funds. Students and bursars, too, got a total of 2106 lib.³, a sum which had not been approached since 1573. Altogether, the Church might reckon itself financially fortunate in the year that followed the Black Acts, and Melville must have found the work of stirring up his brethren against the crown a much more difficult undertaking than it had ever promised to be⁴.

Yet, if Melville had a disheartening task in front of him, and if the ministry as a whole had sold its rights of complaint, petition and rebuke, it is not to be supposed that the Church was absolutely content, nor had the hope been lost of obtaining by negotiation what polemics had failed to secure. In February, 1585-86, close letters were sent out to many bishops and ministers and to a few lairds, including Erskine, Pont,

1. Reg.Thirds, 1585, f.99a and b.

2. Ibid., f.99b.

3. Ibid., f.105a.

4. No superintendent is mentioned in the Register for 1585 in the sections relating to payments in kind, save for Angus and Mearns, though a commissioner is provided for in several other districts. But even for Angus and Mearns the money payment is provided for a commissioner, not a superintendent. The latter designation, however, is applied to Erskine elsewhere.

Balcanquhall, Christison and Andrew Melville¹. These letters were undoubtedly invitations to the conference which was held between some of the Council and representatives of the Church at Holyrood on the seventeenth of that month². At that conference it was agreed that a limited or modified episcopacy should be continued. Bishops were to be admitted by the General Assembly on royal presentation, but were to be responsible for cures and were to be advised by a "senat or presbyterie"; they should enjoy their power ordinis causa non jurisdictionis, and should acknowledge the authority of the General Assembly. Commissioners likewise were to be admitted by, and be accountable to, the same body, and within the districts assigned to them were to be immune from episcopal interference. The right of the king to summon the next General Assembly was conceded, and the method of convening it in the future was remitted to the crown. Finally, the jurisdiction of the Kirk was delimited in a form which the highflying Presbyterians must have regarded with derision, and the consideration of other matters, including stipendiary provision for the ministry, was deferred to a new conference to be called by the king a few days before the next meeting of Assembly³. Though he had been invited to the former conference at least, we do not know if Erskine attended, but Andrew Melville was not likely to neglect the opportunity of stating his case, and his failure to secure any substantial concession must have been a bitter pill to the champion of Presbytery. Early in the following month, the younger Melville, writing to his father-in-law, Durie, complained that "the simplicitie of the best rank hes bene foullie

1. L.H.T., MS. Vol. 1585-1586, f. 113b.

2. Cald., IV, 491. McCrie (Life of Andrew Melville, 128) says that "the king had called together certain ministers, whom he judged more moderate than the rest, to confer with a deputation from the privy council on the subject of the ecclesiastical polity". But it is plain that the king's robust belief in his own wisdom encouraged him to include his declared opponents in the invitation.

3. Cald., IV, 491-494. There appears to be no evidence that the second conference met.

abusit"¹, perhaps a veiled reference to the laird of Dun, and it is certain that the returned clerical exiles were, to a man, cast down by the submission of the Church to the royal will².

When the Assembly met in May, Erskine being present³, it was ordered by the king to adjourn to the Chapel Royal at Holyrood, which it obediently did, and the conclusions of the previous February were endorsed except that it was contended that the function of a bishop did not exceed that of a pastor, and that bishops were liable to trial and censure by presbyteries and synodal assemblies, and not, as had been agreed, by the General Assembly alone⁴. The latter contention naturally failed to secure the king's approval, and the Assembly yielded the point⁵, but the work of organising presbyteries went on hopefully, and Erskine was entrusted with the duty in Angus⁶. The Assembly presented to James a number of petitions dealing with various grievances, and its recognition of the value of the royal commissioners as custodians of clerical interests is noticeable in the request that these officials should testify on their conscience to the fitness and residence of all those whose names should appear in the Register of Modifications⁷. Of the thirteen commissioners whose admission to office was sanctioned on this occasion John Erskine presumably proved acceptable to the ministers of Angus and the Mearns, the district naturally allotted to him⁸: and it is indeed remarkable that in his seventy-eighth year the laird should have been found willing to continue in an office which can have been no sine-cure even to one so experienced in the duties. Probably as he grew older and ranked more and more as a father of the Church

1. Wodrow MSS. Folio, XLII, no. 13.

2. cf. Pont's exhortation in the General Assembly of May, 1586, to the subscribers to repent. Cald., IV, 548.

3. Cald., IV, 549.

4. Ibid., 559.

5. Ibid., 560.

6. Ibid., 556.

7. Ibid., 565.

8. Ibid., 566.

he became increasingly averse to the notion of being superseded, and the fact that his ecclesiastical activities were not abridged may have been partly due to the unwillingness of his brethren to intimate to the old man that his day of usefulness was past, apart altogether from the necessity, under which the Church then lay, of approving royal nominations.

On the conclusion of this Assembly the king's resolve to refuse any important concessions to the Presbyterians was plainly declared by Andrew Melville's receipt of an order to pass immediately to Angus, the Mearns, Perth and other parts of the North where he might have reason to believe any Jesuits were, and there try to convert them to the "trew and chriesteane relligioun"¹. That purpose was far from being the real reason of the ordinance, which was drafted with the expressed intention of limiting the anti-episcopal activities of the Melvilles, and of permitting to Patrick Adamson, archbishop of St. Andrews, a more extended opportunity of undermining the influence of his most redoubtable opponents. And it was only his sickness which saved James Melville from a similar experience. It is true that the Jesuits were extremely active in the year 1586, but that fact added plausibility to the ordinance without disguising its real ~~purpose~~ ^{motive}.

The Register of the Thirds for the year 1586 furnishes figures which demonstrate how complete was the victory which the king, with the help of Erskine and others likeminded with him, had gained over the Church. The money collected went up by well over 3000 lib.², but payments to ministers dropped by nearly 6000 lib.³. The sum disbursed in stipends was certainly greater than in any year previous to 1585, but the decline shows that the generosity of the record year was simple bribery, and most districts suffered a substantial abatement of their

1. R.P.C., IV, 74-75.

2. To 61934 lib. 10s. 1d.. Reg. Thirds, 1586, f. 49a.

3. To 45428 lib. 2s. 6d.. Ibid., f. 99b.

grants in 1586, that for Angus and the Mearns going down by nearly 1000 lib.¹. Truly, James was convinced that he had the Church of Scotland completely in his power, when, with increased funds, he dared to reduce the stipends so materially. There were in Scotland in the year 1586 nine hundred and sixty-eight charges represented on presbyteries², and the average remuneration can therefore have been only 47 lib., or seventy merks, a figure which it is interesting to compare with the average stipend suggested by the crown in 1581, namely two hundred and fifty merks³.

In the period which has been under survey Erskine's attitude to the ecclesiastical problems of the time showed a fairly consistent disposition to further the wishes of the king, a consistency that is perhaps not entirely explained by a natural love of peace and a preference for the polity to which he had grown accustomed. Opposition to Catholic influences can safely be predicated of one who had given ample evidence of his devotion to Protestantism, but the Church was concerned with the strengthening of that opposition by means with which Erskine can have been but little in sympathy, and in face of the extant evidence it is difficult to acquit Erskine of a certain readiness to profit by the divergence between the king's policy and that of the Church. Financially and in status he stood to lose by the institution of presbyteries, and, when he regained ecclesiastical control, the resultant pecuniary benefit finally exceeded a thousand merks yearly⁴. That fact in itself would not condemn the laird of Dun, but there is reason to suspect that at the worst he may have fallen a victim to the senile vice of avarice. At all events, on 28

1. To 4296 lib. 3s. 7d.. Reg. Thirds, 1586, f. 99b.

2. See Cald., IV, 571-583.

3. See p. 245. The total mentioned in 1581 could have supplied the parishes of 1586 with an average stipend of 155 merks.

4. See the instrument by John Erskine of Dun appointing his grandson, John Erskine of Logie, factor of his stipend, 24 October, 1586; Sp. Misc., IV, 74-75.

December, 1586, John Erskine, elder, superintendent of Angus and Mearns, and John Erskine of Logie, factor of his stipend, entered into an obligation to Ludovic, duke of Lennox, and Walter, commendator of Blantyre, his tutor and administrator, whereby "for mony guid caussis and considerationis", not further particularised, the Erskines bound themselves to pay to the other parties "the sowme of fywe hundret merkis guid and vsuale money of this realme zeirlie at twa termes in the zeir, viz. Lambes and Candilmess be equale portionis". The payments were to commence with the year 1587 and were to continue as long as the elder Erskine retained the office of superintendent of Angus and the Mearns, to which he had been appointed by the Lords Auditors of the Exchequer at his "auld stipend"¹. Suspicion is aroused by the period of payment and, in less measure, by the failure to give reasons for undertaking it at all. The duke of Lennox, son of Esmé Stewart, had arrived in Scotland three years earlier², had been restored to his father's possessions, and was in high favour at court: Walter Stewart, prior of Blantyre, was keeper of the privy seal³. Had the contract been made earlier, it might have been surmised that the beneficiaries had been instrumental in securing for Erskine the office and emoluments which made a simoniacal bargain possible, but its date rules out that assumption: on the other hand, the terms certainly suggest that Erskine may have hoped by influence at court to keep what he had regained.

There is, however, another and a more charitable explanation of the transaction to be found in the laird's probable fears, already referred to, that the Church was becoming unruly. The need for control may have seemed to him as pressing as ever.

1. Reg. Deeds, XXVI, f. 113.

2. Cald., III, 749.

3. R.P.C., III, 528, note.

But there was reason to doubt the ability of a state-appointed episcopate to persuade or compel the Church, while he himself was one of the few who could expect from the ministry a certain traditional obedience. On that score Erskine may well have concluded that any step which enabled him to retain an ascendancy, more or less willingly conceded, over his brethren was justified by the needs of the time.

The absence of more detailed information forbids a definite conclusion, but it is possible that the annoyance of the "peregrine ministers" at the part played by Erskine in obtaining the submission of the Church to the statutes of 1584 was based on more solid grounds than partisan disappointment, and the superintendent's efforts to safeguard the stipends of his district may not have been so conspicuously unselfish that they could count his conduct blameless.

touch his filial feelings. Mary's execution in the following February left her son the only possible pretender to the throne of England, but his faintly protesting acceptance of the situation stamped him a prudent scholar rather than a chivalrous custodian of his family honour. Mary's subjects were moved to deepest wrath, and the relations between the two countries naturally became for a time less cordial, but, for the king, domestic conditions and extra-domestic dangers alike forbade any unnecessary widening of the breach.

The ministers had never thought of Mary with such loyalty that her trial and execution should provoke a revision of feeling in her favour, and the king's indignation at relying upon them to pray for his mother in terms implying her innocence of treason was exactly calculated to stir up their bigotry without moving their pity, and the demand met with no

flattering response. Nor could the ministry but question the king's good-faith when, on hearing of his mother's death, he "could not conceal his inward joy" that he was become "sole king". Outwardly he made a pretence of grief and professed violent displeasure.

CHAPTER XIII. LAST YEARS.

The last years of John Erskine's long life were marked by trouble and uncertainty, both public and private. He was, it is true, no stranger to anxiety, but respite from care, if secured at all, was only reached through infirmity of body. Toward the close of 1586 Mary Stewart's complicity in the Babington Plot led to her trial at Fotheringhay Castle, and the Scottish king earned the scorn of his contemporaries by the feebleness of his remonstrance against a proceeding which outraged the dignity of a sovereign state, if it failed to touch his filial feelings. Mary's execution in the following February left her son the only possible Scottish claimant to the throne of England, but his faintly protesting acceptance of the situation stamped him a prudent schemer rather than a chivalrous custodian of his family honour. Many of James's subjects were moved to deepest wrath, and the relations between the two countries naturally became for a time less cordial, but, for the king, domestic conditions and extra-domestic dangers alike forbade any unnecessary widening of the breach.

The ministers had never thought of Mary with such loyalty that her trial and execution should produce a revulsion of feeling in her favour, and the king's indiscretion in calling upon them to pray for his mother in terms implying her innocence of treason¹ was exactly calculated to stir up their bigotry without moving their pity, and the demand met with no

1. R.P.C., IV, 140.

flattering response. Nor could the ministry but question the king's good-faith when, on hearing of his mother's death, he "could not conceale his inward joy" that he was become "sole king"¹. Outwardly he made a pretence of grief and professed violent displeasure with those ministers who had refused to petition the Almighty on Mary's behalf, notably with John Cowper of Edinburgh. Accordingly the General Assembly of June, 1587, which met on a royal summons², appointed a committee to secure a favourable issue to the quarrel between the king and the outspoken preacher³, and instructed its representatives also to intercede for another minister, James Gibson of Pencaitland, whose offensive candour was of an earlier date⁴. James VI. had strong inducement to walk warily in his opposition to the Church, for it afforded him support against an Anglo-phobe laity, but we may perhaps detect the pacific influence of Erskine, who was a member of the committee, in the Assembly's decision that the plainspoken ministers should "acknowledge and confesse their publick offences.....or otherwise be deprived from all function in the kirk"⁵, not the harshest fate which actually overtook the stiff-necked pastor of Pencaitland⁶.

The royal opportunist, however, was equally guarded in his dealings with the Catholic nobility, the result being a scandalous increase of Jesuit activity; and the freedom from interference enjoyed by these nobles caused an aggravation of the economic and social hardships under which the Church suffered in Catholic districts. This same Assembly, therefore, appointed a committee consisting of the laird of Dun and five

1. Cald., IV, 611.

2. L.H.T., MS. Vol. 1587-1588, ff. 60b and 61a.

3. Bk. Univ. Kirk, II, 685; Cald., IV, 623; Petrie, cent. XVI, pt. 3, 457.

4. R.P.C., IV, 39-40 (December, 1585).

5. Cald., IV, 630.

6. Ibid., IV, 672-675; also V, 99, 114. Cowper's zeal had possibly been tempered by a sojourn in Blackness (R.P.C., IV, 142), which was of brief duration (Cald., IV, 606).

others to collect the various acts of parliament against Jesuits and Papists¹, and Erskine was also one of twenty of its members whom the Assembly deputed commissioners to parliament for the presentation of its petitions². James all his life preferred a "myld and smothe maner"³, and it was perhaps Erskine's suavity which, as much as anything, accounted for his frequent presence on ecclesiastical deputations, but, in any case, this was the last specific task which the Church was to entrust to its aged servant; and, as we shall see, the friend of Stratoun, Wishart and Knox was himself convinced in 1587 that not for long would he have to bear a burden of years that was over-heavy for his failing strength.

The parliament of July, 1587, passed several statutes with a directly ecclesiastical bearing, and one which affected Erskine in his lay capacity. That act remitted to the Lords of Session the interpretation of the Law of Oblivion of 1563⁴, since the members of the ad hoc commission set up to determine its applicability were now reduced by death to two, of whom Erskine was one⁵. The statutes touching the Church numbered seven⁶, if we neglect that "In favour of the laubouraris of the ground troublit be teynding"⁷, and the most important of these enacted that the temporalities of benefices should be annexed to the Crown⁸. As the Church had long given up any real hope of securing this particular endowment and was desirous of nothing more than the spirituality of the Church, the king's assurance that by this annexation episcopal government of the Church would become impossible through the appropriation

1. Cald., IV, 627.

2. Bk. Univ. Kirk, II, 700; Cald., IV, 633.

3. Melville's Diary, 245.

4. See p. 138.

5. A.P.S., III, 448.

6. Ibid., 429-437.

7. Ibid., 450.

8. Ibid., 431-437.

to the crown of episcopal livings, persuaded the high Presbyterians that episcopacy was fated shortly to disappear, without alarming them unduly on other counts; and the hope was held out to the ministry that the teinds would be reserved for the Church¹, a hope which drew encouragement from the terms of the statute². But, as events proved, the Crown was unwilling to surrender its share of the tithes, for ere long "the king did find himself abused, the temporalities formerly dispoised (which were not a few) being all in the same parliament confirmed, and those that remained, in a short time begged from him, and given away to the followers of court, so as nothing was left to benefit or reward any well-deserving servant.....[while] the ministers that looked for restoring the tithes, perceiving themselves likewise deluded, began also to exclaim and condemn the course, howbeit somewhat too late"³.

In point of fact, the statute, based on the unfulfilled desire to enrich the Crown, demonstrated conclusively that James valued episcopacy merely for the political authority bound up with that system of government, and the bishops on the one hand and the root-and-branch Presbyterians on the other were not the only servants of the Church who found themselves faced with unforeseen financial anxieties arising out of the indiscriminate generosity of the crown. Apparently the reduction of episcopal rewards was regarded as a valid reason for diminishing or suspending payments to the commissioners in ecclesiastical causes, and Erskine was one of those singled out to provide the necessary economies. The protesting letter which he drafted for despatch to the king is pre-

1. Spottiswoode, II, 376.

2. Connell says:- ".....from the general scope and spirit of the act 1587, there is reason to believe that the legislature intended to exempt from the annexation the whole teinds in the kingdom". Treatise on the Law of Scotland respecting Tithes, etc., vol. I, p. 103.

3. Spottiswoode, II, 376-377.

served at Dun and runs as follows. I bound him to serve thame

"Pleis your Maiestie to considder that I am your graces subiect and a barrone of your graces realme, and that ane of the maist ancient of yeiris. I haif bene ane faithfull seru- and to your hynes nobill predicessouris and to your graces self wnto this day. I haif euer bein obedient to your Maiesties lawes, ordinances and proclamationes. I haif vsit me sua that my nychtbouris complenit nocht on me. I wes neuer accus- it for cryme befoir your graces iustice. I tuik neuer remiss- ioune for ony offence, in respect of the quhilk your Maiestie aucht the mair to regaird me. Farther, I neuer spairit my trawellis, my bodey nor guidis, in seruing of my prince and for the commoun welth. Of sum thinges thair of I will putt your grace in remembrance. In the weiris we had with Ingland quhen the Inglis men possessit Dondie, Bruchtie Craig and the forth thair, I defendit the countre at my power fra thair in- vasiones, at the desyr of the queinis grace regent, and Duck of Chatilroy thane gouvernour. a biggit ane forth in Montrois, tuik vp ane gret number of men of weir for a lang time and furnisit all of my awin guidis, sua that the sowmes debursit be me exceidit tuentie thousand merkis as the comptis buir, and yet may be sein. Efter this at the queinis grace regent desyr, and estaittis of parliament, I passit to France in com- missioun with the Lordis that wes directit for the maryage of the queinis grace your maiesties mother. My expenssis thair wes gret, as thy that wes in company dois knawe. Efter this, knowing how necessar it wes a brig to be vpone the Noir watter, at the desyr of thame that had the gouernment and recompens promisit me, I bygit that brige, and warit gret sowmes thair- vpone, as thy that luikis on the werk may consider¹. The queinis grace regent, and the counsall willing to recompance my gret costis, referrit to my self quhat accident² or vther

1. "....the old bridge over the North Esk, near Inglismaldy, was built by a Laird of Dun, who caused the family arms to be embossed on the parapets". Bowick, p.142, note G.

2. feudal casualty.

thing I wald desyr for recompence, I beand leth to pres thame dreffe tyme. Than at the last in the queinis grace tyme your maiesties mother, wes assignit to me (whill farther mycht be had) this pensioun that I haif nowe of the Kirk, quhilk wes na recompence to me, for the same haif I spendit yeirlie in the causs of the Kirk and now presently in vsing and fulfill- ing the office that I haif of your grace and the Kirk. I haif possessit it thir mony yeiris past, and now to tak it fra me cane nocht be without my gret displesour to sie my guid seruice sua ingratlie recompansit. Heirfoir I maist humble beseik your grace that I may bruik my possessioun bot for a yeir, hoiping or that tyme be passit I sal be delyuerit fra the bondage of corruptione. Your Maiesties guid ansuer I desyr. Your m. humbill and obedient subiect, Jhone Erskyn". Endorsed, "ane writting send to the Kingis Grace"¹.

Judged by modern standards, this autobiographically interesting petition lacks dignity, though its conclusion is not without a pathetic ring. But the sixteenth century was somewhat less nice than the twentieth in these matters, and Erskine may have quieted his conscience, if it irked him at all, with the reflection that his appeal was successful, for in November, 1587, the king made him a grant for life under the privy seal of the emoluments of his commissionership within the bounds of Angus and Mearns². The laird of Dun, accordingly, escaped any of the pecuniary hardship which followed the acquisitive scheming of the king. How the ministry as a whole fared, we do not know, for the Register of the Thirds wants the volume for 1587, but the average for the

1. H.M.C., Fifth Report, p. 636, no. 16. The date is conjectural, but 1587 seems to be the probable year from the grant under the privy seal referred to later.

2. The preamble is given under date 1 November, 1587, in H.M.C., Fifth Report, p. 640, no. 74. A transcript of the entry, dated 5 November, in the Reg. Sec. Sig., Vol. LVI, is given in Appendix O.

years 1586, 1588 and 1589¹ warrants us in supposing that the year 1587 saw the ministers in receipt of practically the same total payments as were made to them for the year before, though many had undoubtedly looked for a substantial improvement in their condition.

Beside the public anxieties of 1588, those of 1587 were insignificant, for in the later year Jesuit activities in Scotland were rightly regarded as proceeding from a sanguine hope that Philip II's plans of naval and military conquest would triumph. The hope was not ill-grounded, and alarm was abundantly justified. What the fate of Protestantism would have been is beyond question, and from the "Greeves of the Generall Assemblie" presented to the king on 20 February, 1587-88², it appears that anticipatory Catholic zeal was widely felt, for all over the country kirks were falling to ruin, ministers were robbed of their stipends and Catholic priests were intruded upon parishes or maintained in the private houses of the nobility and gentry. Fear may have led to some exaggeration of statement, but it is significant that the reports dealing with Angus and the Mearns³ were much less alarming than those from other districts, testimony not only to Erskine's care of church fabrics and to the general acceptance of Protestant teaching in his diocese, but evidence that Archbishop Spottiswoode was not actuated by mere good-nature when he recorded that Erskine of Dun "governed to his death most wisely and with great authority" the district over which he had been placed⁴.

Apparently Erskine took little, if any, part in public affairs after 1587, but an event of that year, and the threat of foreign invasion in the next, must have recalled the events

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1. viz. 45865 lib.
 2. Cald., IV, 656-666.
 3. Ibid., 660.
 4. Spottiswoode, II, 412.

of his youth vividly to his mind. On 15 January, 1586-87, his grandson, Henry, son of Robert Erskine, was granted a respite under the privy seal in respect of an act of manslaughter, of which he had been guilty about twelve months before¹, and the old superintendent no doubt was carried back in recollection to the assythment which he himself had had to purchase fifty-six years earlier when he sought freedom from the possible consequences of the death of William Froster. In the following year, though long past the age when he could be expected to play a part in repelling the Spaniard, the approach of the Armada may well have seen the laird of Dun consulted on problems of coast defence by younger men who had heard of the martial exploits of his youth, and the dangers which beset his country must have induced in Erskine a sense of weariness in that the labours and sacrifices of a strenuous life had failed to ~~win~~ ~~XXXXXX~~ the ecclesiastical and national security the attainment of which had been the purpose of his activities in the service of both Church and State. And yet, in the feebleness of his eightieth year², he may have derived comfort from the closer association between Scotland and England to which a common danger urged both countries.

The financial position of the Church showed no appreciable improvement in 1588, for it had to make ends meet on a payment of 46612 lib.16s.10d.³, although, if he was capable of any interest in ministerial stipends, the disappointment of the laird of Dun may have been softened by the increased allowance of victual made to his district in that year⁴. But

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1. Reg.Sec.Sig., LV, f.7a. See Appendix N. Henry Erskine was evidently a person of violent temper, for previous to 9 February, 1590-91, he slew a burgess of Montrose, by name James Greig (Reg.Hornings, Forfar, IV, f.24a; R.P.C., IV, 633).
 2. The Assembly of August, 1588, approved Erskine as commissioner for his old district, but "in respect of the infirmities of the said superintendent" gave power to William Christison to act as his deputy. Cald., IV, 688.
 3. Reg.Thirds, 1588, f.99b. The year 1588 was the last in which provision was made in the Register of Assignation for Erskine's salary as commissioner; cf.vol.1588-1589, f.27a.
 4. V₁₃. 58 chalders 3 bolls of bere (Reg.Thirds, 1588, f.64a) as against 49 chalders 15 bolls

the general ecclesiastical situation was certainly not such as to console John Erskine in his last years, or afford him the assurance that the Reformed Church of Scotland had passed through her period of tribulation and could look to the future with confident hope.

As the strength of the enfeebled Erskine slipped away, family arrangements were made which provided that his grandson and great-grandson should have their rights of succession safeguarded¹, but there is in the later conduct of his heir, Robert², and in the careful haste of his grandson, John³, ground for suspicion that his descendants were more intent on benefitting themselves than on relieving the mind of the aged head of their house as his end drew near.

John Erskine's death has been variously assigned to any of the years from 1589 to 1592, but the mistakes have arisen mainly from the fact that his grandson and great-grandson, both John by name, and both successive lairds of Dun, died in 1591 and 1592 respectively⁴. There seems every reason to accept the date given in "The Obitis of the Lairdis and Ladeis of Dwne", 22 March, 1589-90⁵. True, Archbishop Spottiswoode placed his death apparently at the end of 1590-91⁶, but he gave his age as eighty-one, a statement inconsistent with the later year, and by other proofs it is clear that the friend of Knox died at or about the earlier date. The Register of the

two years earlier (Reg. Thirds, 1586, f. 63b), and 109 chalders 10 bolls of meal (Ibid., 1588, f. 75a) as against 80 chalders 8 bolls in 1586 (Ibid., 1586, f. 75a).

1. cf. R.M.S., V, no. 1657; Reg. Sec. Sig., LIX, f. 135b.
2. Robert's son, Samuel, committed suicide before 24 June, 1590, "putting violent handis in him self be setting ane pistol-et to his breist and schuting him self wilfullie throw the body quhairof he deit", (Reg. Sec. Sig., LX, f. 142b). For the father's heartless conduct to his daughter-in-law and her child, see H.M.C., Fifth Report, p. 636, no. 17.
3. On 16 September, 1589, John Erskine of Logy got a grant under the privy seal of the pension of victual previously granted to his grandfather, the superintendent, the first payment to be made after the latter's death. Reg. Sec. Sig., LX, f. 58b.
4. Robert Erskine died on 27 December, 1590. See Obits of the Lairds of Dun, Sp. Misc., IV, lxxviii.
5. Sp. Misc., IV, lxxvii.
6. Spottiswoode, II, 412.

Thirds and the Register of Assignations both omit any reference to Erskine's salary later than 1588¹, and when the accounts of the custumar of Montrose were presented for the year ending 1 October, 1590, there was recorded a payment of 26 lib. 13s.4d. to Robert Erskine of Dun, the sum paid for many years to his father², while on 17 August, 1590, we find Robert referred to in a royal letter as "the larde of Dwn"³. In March 1589-90, then, John Erskine of Dun, commissioner of the kirk⁴ and, till his death, titular superintendent of Angus and the Mearns, quitted this life after a long career of varied, strenuous and useful activity. We know nothing of the manner of his death, but at his great age he doubtless passed away very quietly, ready to welcome the release from what he had himself described as the bondage of corruption.

A scrutiny of the records of the family of Dun reveals little reason for regarding John Erskine's character and talents as hereditarily inevitable. It is true that from his mother, whose numerous marriages bespeak an engaging nature, he probably inherited his affable temper, but it is necessary to go back some six generations to encounter any indication of the ability which made the laird of Dun so notable an ecclesiastical negotiator and administrator. That his gifts were, in part at least, an ancestral legacy is attested by the attainments of his uncle, Sir Thomas Erskine of Hatton, to whose

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1. The payments in respect of the crop of 1589 were quite probably not begun till after Erskine's death.
 2. Excheq. Rolls, XXII, 90. On p. 247 of the same volume is recorded the payment to Robert Erskine of 53 lib. 6s. 8d. for the two years 1591 and 1592. As Robert was then dead, a certain suspicion may fall on the accuracy of the first entry. But an alteration of name can probably be depended on: the mistake in the second case was doubtless due to careless repetition.
 3. H.M.C., Fifth Report, p. 636, no. 17.
 4. In the Assembly of June, 1589, "All the commissioners of countreis were changed, except the Laird of Dun". Cald., V, 58.

instruction and training he doubtless owed a certain measure of his success. In any case, the real keynote of Erskine's career was the amiability and power of conciliation to which his contemporaries bore ample testimony. If he lacked the compelling personality of Knox, the political genius of Moray, he was saved by the catholicity of his sympathies from the narrowing intensity which might have made him a greater, but not a more attractive, figure. And it is undeniable that John Erskine makes a definite appeal to the imagination. Not only in the varied objective activities of his life, military experiences, diplomatic errands, and services to education, but in the subjective ability to avoid the extremes of partisan enthusiasm without surrender of treasured convictions, we see in the laird of Dun an apostle of the Renaissance spirit rather than a type of the ardent Reformer. It is nothing to his discredit that we cannot regard him as a typical Scot of the sixteenth century: one who has been called unique¹ could hardly be expected to mark a national type. But he was certainly representative of the best in the temper and tendencies of the time.

Although his public energies were directed to the temporal and religious welfare of his native land alone, and his influence, unlike that of Knox, Andrew Melville and Buchanan, was never felt outside it, he had first-hand knowledge of intellectual and ecclesiastical conditions abroad, and his acquaintance with other modes of thought than were followed by the more violently zealous Scottish sectaries preserved him from the arrogant assurance which kept them from appreciating the motives of other men. His numerous secular interests, too, extended the range of his sympathies and widened his outlook. But it cannot be contended that he was one of Scotland's

1. Hewison's *Covenanters*, I, 13.

great men. In the circumstances of the time the fanatical concentration of a Knox or a Melville, largely conditioned by the opposition of a self-seeking nobility and a pretentious ruler, was essential to the country's future well-being, and the very qualities which made Erskine commendable as a man undoubtedly detracted from his influence as an ecclesiastical leader. Had his temper been generally shared by his contemporaries, his relative standing would have been correspondingly improved, and he might even have ranked among the makers of his country, for to practical sagacity he united sympathetic understanding and indefatigable industry. In the more populous world of today he might easily have appeared a successful, even a famous, minister of the Crown. As things were, his powers were felt locally rather than nationally, his talents were departmental. It is evident that his personal influence was considerable, and many of the asperities of debate must have been smoothed away by his moderating kindness. But the sixteenth century was no time for compromise, and Scotland gained little of value in political training, religious effectiveness or national tenacity by its exercise. In short, John Erskine of Dun was a Scot born before his time, possessed of qualities of mind and attributes of character which, admirable in themselves, effected a limited reaction on a generation unprepared to welcome a temperamental tolerance which it failed to understand or appreciate.

It has been already suggested that Erskine was representative of what was best in the tendencies of his time. His patriotism did not keep him in undeviating agreement with the national administration, but both locally and nationally it is clear that he was unceasingly anxious for the prosperity of his country. Springing from a class which had long neglected to fulfil its duties in the work of government, the willingness of John Erskine to respond to the spirit of the age by assuming his political responsibilities was amply demonstrated

before the Reformation diverted his energies to a considerable extent into ecclesiastical channels. His services to learning, if in the main local, helped to achieve international results in the case of Andrew Melville, and Erskine's own learning, to which we have contemporary testimony, if proofs of it are lacking, disposed him to real interest in the educational provisions of his time. In the domain of religion he possessed the rare merit of complete fidelity to the reformed faith without the temptation to regard radical departures in administration as the natural corollary of doctrinal change.

If there was a weakness in Erskine, we find it in his early failure to put into practice the conclusions to which he was evidently driven by mind and conscience. But the fate of his reforming friends at home, together with what he heard and possibly saw abroad, would have sufficed to deter even men of a bigoted zeal from too frank an advocacy of revolutionary religious views. And when considered in the light of his natural moderation, and particularly when it is recalled that Erskine was sufficiently temperate to be chosen as Protestant ambassador to the old Church as late as 1558¹, it may well be concluded that his hesitation was in part intellectual, and not the result of mere moral timidity. Physical courage he certainly possessed, and his later life on the whole proclaimed him a jealous guardian of Protestant doctrine and an uncompromising opponent of any scheme to abridge the purely spiritual liberty of the Church. True, he was not markedly identified with the ecclesiastical hostility to Morton, but the regent's services to the community were more justly assessed by the laird of Dun than by many of the latter's colleagues, while the fact that Morton and the superintendent, each in his own sphere, set a high value on discipline may have produced

1. See p.82.

between them a certain mutual sympathy. It is a graver charge against Erskine that he was a willing instrument in forcing upon the ministry acceptance of the Black Acts. But the royal qualification of these statutes appeared to safeguard the liberty of the Church to administer its own disciplinary ordinances, and Erskine's charity of judgment, together with the immediate gains which accrued to the ministers, doubtless blinded the aged superintendent to the real purpose of the obnoxious legislation.

In conclusion, while it is difficult to trace in the secular or ecclesiastical history of his time any individual achievement or any policy which would entitle Erskine to be regarded as one of the moulders of his country's destinies, there can be little doubt that his example in two directions must have exercised a beneficent influence upon the undisciplined nature of his contemporaries. On the one hand, the rare disinterestedness of his Reformation zeal was proof to a cynical baronage that self-interest was not the only motive which could inspire opposition to established conditions: on the other, his remarkable success as a superintendent in securing for his diocese a degree of official favour to which other districts were strangers, and the steady reliance which successive Assemblies placed on his powers as an ecclesiastical ambassador, were constant reminders to the Church that worldly wisdom and a "gentill spreit" were far from negligible factors in the attainment of her ends.

APPENDIX A.

May 8, 1534. Acta Dom. Conc. et Sess. IV, f. 131a.

Item of the resettaris & Harbriaris in thair lugeingis of strangearis and vtheris of that sect cumand furtht of vther cuntreis hidaris and concelaris of sic personis and of thar bukis.

Chancellair president and lordis of our counsell and session we gret you weill & sall ondirstand that we ar treuly informit of diuerss tractatis and bukis translatit out of Latin in our scottis tounge be heretikis fauoraris and of the sect of luther ar send within this realme to diuerss partis of the sam- in as leith edinburgh dunde Sanctandrois montross abirdene & kirkcaldy to infect the invart partis of the samin without hasty remeid be put tharto Heirfor we pray and als requiris & chargis you that you provid and see the scharpast way possible for the stanching heirof in tyme And we sall nocht fail to put in executioun it that you ordane in our name tharfor committand to you our full power in that part to creat and mak actis and ordinances vnder quhat panis you think expedient and tharupoun to direct our lettres criminaly or ciuilly in the best sort And gif you be sleuthfull heirintill the perell tharof sall ly to your charge & nocht to us sen we ar redy till do that you aviss us to do Subscriuit be us at abirdene the thrid day of may And of our regnie the XXjth yer James.

Ibidem. f. 131b.

And als anentis the artikle proponit be my lord chancellair gif the kingis grace mycht put his act of parliament maid aganis the hamebringaris & withthaldaris and disputaris of the bukis and opinionis of the heretice luther and his discipulis without dirogatioun liberte and Iurisdiction of haly kirk The

lordis witht the aviss and counsall of the saidis prouinciall
 and thair brethir forsaid thinkis that the said act of parlia-
 ment may be put to executioun in all poinctis quhilk makis na
 dirogatioun to the liberte and iurisdiction of the haly kirk
 And anentis the twa first artiklis contenit in our said souer-
 ane lordis writingis The lordis findis the samin sufficientlie
 providit be the said act of parliament And as to the thrid
 artikle The lordis ordanis lettres to be direct to the prouest
 & baillies of burrowis quhair strangearis arrivis to command
 and charge thame that thai and ilk ane of thame within thair
 awin burgh command & charge all Inhabitaris of the samin quhair
 the said strangearis salhappin(sic) to be lugeit to forbid thair
 oistis and strangearis to argone disput or comone of ony of
 the saidis Lutheris or his discipulis opinionis or to haue
 with thame ony of his bukis and gif the saidis strangearis dois
 in the contrar that the saidis personis quhame with thai happin
 to be lugeit that thai reveill the samyne to the saidis prouest
 and baillies and that thai thareftir incontinent command and
 charge the saidis strangearis nocht to haue ony of the saidis
 bukis nor disput ony of the saidis opinionis incontrar the said
 act of parliament ondir the panis contenit in the samin And
 gif thai do in the contrar to arrest thair schippis gudis and
 personis quhill the kingis grace or his counsall be aduertist
 tharof ondir all hieast pane and charge that eftir may follow
 and lettres to be direct heirupoun And as to the Last artikle
 my lord chancellair in name of the kingis grace hes requirit
 the said prouinciall & wardane to tak gud tent and diligence
 that na sermones be maid be thair brethir quhair throu ony new
 opinionis opinable na ryiss in the comone peple and to aduertiss
 all thair wardanis and brether thair of quhilk thai promittit to
 do to the weill and edificatioun of all our souerane lordis
 liegis.

APPENDIX B.

19 May, 1534. Acta Dom. Conc. et Sess. IV, f. 151a.

The Lordis of counsale hes considerit the faculteis grac-
is Indult & pardoun Laitly brocht in this realm be Ihone berny-
ernis commissar and messinger apostolic in forme of breve
vndir the leid & thinkis the samin ryght acceptable to all
cristin peple quhilkis Is grantit be the papis halynis for the
support of thaim of the hospitale of the halispreit in saxia
Therfor hes gevin him licence & power to vse his bullis of
Indulgence within all the partis of this realm as he thinkis
maist expedient And that nane of our souerane lordis liegis
molest inquiet or truble him in vsing of his saidis faculteis
bot that thai assist favour & trait him in honest maner in
that behalf and lettrez to be direct herapon geif neid be.

APPENDIX C.

27 July, 1535. Acta Dom. Conc. et Sess. VI, f. 213a.

Chancelar and lordis of our counsell we gret you hartly
wele we havand consideration of the service & expensis done &
to be done be our traist counsalouris Iames erle of murray
william bischop of abirdene our thesaurar Ihone lord erskin &
schir Thomas Erskin of brechin knyght and with thaim in cumpany
alexander stewart of garroles Robert stewart of mynto william
menteith of the kerss ogilby zong lard of finlater Ihon erskin
of dvn Alexander crechton of brunston and all vtheris landit
men passand with thaim in our and thar service Off our prince-
lie liberalite & fredome & to geif vthir occasion to do ws trew
and diligent service be the tenour herof gevis and grantis to
all thar air & airis forsaidis temporale men & to Ilkane of
thaim thar ward mariage nonentres & releif of all and sindry

thar landis haldin of ws and als the doubling of thar fowis
that sall happin to fall In our handis be thar deceiss or any
ane of thame quhill the Returning of our saidis ambassadouris
within our realm

Subscriuit witht our hand & vndir our Signet At striveling
the XXVI^j day of Iulij And of our regne the XXI^j 3er

James.

APPENDIX D.

30 Sept. 1549. State Papers - Scottish - No. 55 B - Register
House.

(The vertical bars indicate the lines of the original).

Be It kend till all men be thir present lettres Me Ihone
erskin of dyn to be faithfullie bundin and|oblist to ane noble
and potent princes Marie quene dowriare of Scotland in speciale
manrent man &|seruand to hir grace for all the dais of my lyiff:
And oblissis me to be afald leill and trew man and|seruand to
hir hienes and to conceill and keip secrete the counsale of
hir graces secretis schawin to me and|to gif hir hienes the
best and trewest counsale I can as I salbe requirit hir skaith
dampnage & hurt|I sall at na tyme heir see witt nor vnderstand
in prive nor in plane bot sall warne hir tharof|And sall afald
trew and plane parte with hir grace in all & sindre hir action-
is caussis querellis and|debaittis aganis all maner of person-
ageis My aith and allegiance to our souerane lady the quenis|
grace and hir auctorite alanerlie exceptit And salbe redy at
all tymes to mak hir hienes seruice but|dissimulatioun during
the space forsaide Sa help me god and the haly ewangelis In
witness of|the quhilk thing I haif subscriuit this my band of
Manrent with my hand At Edynburgh the last|day of September
The zeir of god j^m v^cxl^{ix} 3eiris

seal Ihone Erskyn

of dun.

N.B. In the above document the word "Ihone" in the first line,
"Edynburgh" and "last" in the penultimate line, and "September"

in the last line, have been added in another hand. The blanks which were left for these additions are of no importance, since bonds of the time were quite commonly sent out in this form. It is perhaps curious, however, that there was a blank for Erskine's Christian name.

APPENDIX E.

21 Sept. 1564. Reg. Sec. Sig., XXXII, f. 120b.

At Edinburgh

Ane lettre maid to Johnne erskin of dvn Settand and to maill lattand to him and his subtennentis ane or maa All and haill the denerie of aberdene baith personage and vicarage with the glebe manss zaird temporall landis annuellis teind schavis and vtheris teindis fruitis Rentis proventis emolmentis proffittis and dewiteis pertening or that onye maner of waye maye pertene aswele to the personage as vicarage thair of ffor all the dayis and termes of the said Johnnis liftyme his entris thairto begynnand at the feist of lammes in this instant zeir of god j^m vclxiiii zeris And thairefter for the space abonewrittin &c. &c. &c. The said Johnne payand thairfore zeir- lie during the said space The sowme of foure hundreth merkis vsuale money of Scotland at tua termes in the zeir witsoundaye & martimes in winter be evin portionis Thair of to be payit to James lauder the sowme of twa hundreth fiftie pundis and the rest thair of to hir hienes hir comptrollaris chalmerlanis assignais or factouris of maill allanerlie.

APPENDIX F.

4 July, 1566.

Reg. Sec. Sig., XXXV, f. 51a.

Ane lettre maid eftir oure souerane ladyis lauchtful and perfyte aige of xxj zeiris compleit declairit in parliament To Johnne erskin of dvn makand constituand and ordinand him thair maiesteis custumar of the burght of montross and boundis thair of ffor all the dayis of his lyfe Quhilk office pertenit to the said Johnne of before gevin to him be vmquhile oure souerane

ladyis derrest fader of gude memoir for all the dayis of his
 lyfe and is presentlie browkit and Joisit be him and his
 factouris in his name Gevand grantand and committand To the
 said Johnne erskin his deputis factouris and seruitouris in
 his name full power To visie and custume claith hydis and
 vthiris gudis quhatsumeuir custumabill within the said burght
 and boundis thairof To be send furth of this realme or cumand
 within the samin pertening to the liegis or this realme or
 strangearis The custumes thairof To ressaue vptak imbring to
 oure soueranis and mak compt rekning and payment thairof zeir-
 lie to the comptrollare zeirlie in the chekker And gif neid
 be To poind and distreinze thairfore And to serche and seik
 ony guidis and mairchandice that salhappin to be chippit (sic)
 or hed furth of this realme vnsene and uncustomat be him with-
 out coquet And to eschete the samin to oure soueranis vse con-
 forme to the lawis and practik of this realme And forthir to
 vse and exerce the said office of custumarie be him self his
 deputis and factouris quhilkis oure soueranis gevis him power
 to mak and for the quhilkis he salbe haldin to ansuer Siclike
 and als frelie in all thingis as the said Johnne or ony vthiris
 vsit the said office in ony tymis bigane ffor vsing and exerce-
 ing of the quhilk office our saidis soueranis gevis and grantis
 to the said Johnne all feis and dewiteis vsit and wount of the
 samin of befoir And as he or ony vthiris had for the said
 office To be haldin and to be had the said office with all
 feis and dewiteis thairof aucht and wount of befoir To the
 (sic) Johnne erskin for all the dayis of his lyfe And gener-
 allie etc. firme and stabill etc. ffrelie quietlie etc. But ony
 reuocatioun etc. With command in the samin to all and sindrie
 thair maiesteis liegis and subdittis and vthiris quhome it
 effeiris To reddellie ansuer intend and obey To the said Johnne
 his deputis and factouris in vsing and exerceing of the said
 office and all thingis concerning the samin And in thankfull
 paying and deliuering to him his deputis and factouris of all

feis and dewiteis vsit and wont of the said office and to nane
vthiris during his lyf tyme etc AT edinburgh The fferd day of
Julij The zeir of god j^mv^clxvi zeiris

Per signaturam.

APPENDIX G.

17 Jan. 1567-8.

Reg. Sec. Sig., XXXVII f. 27a.

Ane lettre maid with awise of my lord regent To alexander
erskin sone lauchfull to Johnne erskin of dvn and to Cristiane
strattoun his spous the langar levar of thame thair airis as-
signais and subtennentis ane or maa Off all and haill the land-
is aikeris croftis toftis and zairdis sumtyme pertening to the
blak freiris of montroiss liand besyd the same within the
schirrefdome of forfair Quhilk now presentlie the said alexan-
der occupyis and hes had thir diuerss zeiris bigane for all the
space zeiris and termes of nyntene zeiris nixt and Immediatlle
following thair entres thairto quhilk salbe at the day and dait
heirof and frathinefurth to indure and to be peceabillie brou-
kit Ioisit occupiit lauborit manurit set vsit and disponit be
thame Ay and quhill the saidis nyntene zeiris be full and to-
gidder compleitlie outrum (sic) &c. &c. Payand thairfore zeir-
lie the said alex^r. and cristiane strattoun his spous the lang-
ar levar of thame thair airis assignais and subtennentis foir-
saidis to the collectouris now present and that salhappin to
be for the tyme the sowme of sex merkis vsuall money of this
realme quhilk is the auld dewitie that hes bene payit thairfore
and maid compt of sen the dimolitioun of the saidis freiris at
twa termes in the zeir witsounday and martimes in winter be
evin portionis allanerlie etc AT Edinburgh the sevintene day of
Januare The zeir of god j^mv^clxvii zeiris

Per signaturam.

APPENDIX H.

18 Sept. 1570.

Reg. Sec. Sig., XXXIX, f. 10a.

Ane lettre maid To Johnne erskin of dwn and his assignais
ane or maa Off the gift of the waird nonentres mailles fermes
proffittis and dewiteis of all and haill the landis of westir
morphy vthirwyiss callit morphy frassar viz. Manis petbeidle
with the cruvis and salmound fischeing thairof vpoun the
watter of Northesk with the outsettis pendiculis and pertin-
entis thairof Liand in the barony of eistir brechin within the
schirrefdome of Kincardin Pertening to our souerane lord and
fallin and becum in his hienes handis be reasoun of waird or
nonentres Throw the deceis of umquhile James erskin of pet-
beidle lauchfull sone to the said Johnne erskin of dwn last
heretabill possessour thairof Off all zeiris and termes tocum
that the samin salhappin to be in oure souerane lordis handis
Be ressoun foirsaid And ay and quhill the lauchtfull entre of
the richtious air or airis thairto being of lauchfull aige To-
giddir with the releif thairof quhen it salhappin And als of
the mariage of Robert erskin sone and air of the said vmquhile
James And failzeing of him be deceis vnmarijt The mariage of
any vthir air or airis maill or famell that salhappin to suc-
ceid to the said vmquhile James in his landis and heretage
with all proffittis of the said mariage With Power etc At
Edinburgh the xviii day of September The zeir of god foirsaid

- xl **ii.**

Per Signaturam

APPENDIX I.

24 March, 1574-5.

Reg. Sec. Sig., XLII, f. 124b.

Ane presentatioun maid to thomas erskin lauchfull sone
to Johnne erskin of dwn presentand him to the personage and
vicarage of dwn liand in the diocie of sanctandrois and ~~xxxxxxx~~
schirefdome of forfar Vacand throw deceiss of vmquhile Maister

James erskin last persoun thairof etc.direct to the superintend-
ent ower the kirkis within the boundis of anguss Requiring him
to try and examinat the qualificatioun of the said thomas ers-
kin and gif he beis fund meit to vse the office of ane minis-
ter To admit him to the said personage and vicarage Ressaue
the confessioun of his faith his aith for acknawleging and
recognoscing of oure souerane lord and his auctoritie and dew
obedience to his ordinar And to authorize him with testimony
of his admissioun as effeiris etc At halyrudehous the xxiiii
day of March 1574-75.

APPENDIX J.

11 August, 1575. Reg.Sec.Sig., XLIII, f.18a.

Ane presentatioun maid to Jhone erskin nominatand and
presentand the said Jhone to the personage of dwn liand in the
diocy of Sanctandrois and scherrefdome of forfare vacand be
deceiss of wmquhill maister James erskin last possessoure
thairof direct to the superintendent of fiffe becaus he is the
nixt superintendent Requiring him to admit the said Jhone ers-
kin to the said personage Seing it is knawin that he is qual-
ifeit to vse the office of ministerie within the kirk of god
and to authorize him with testimonie of his admissioun as ef-
feiris etc. At dalkeith the alevint day of august the 3^{er}
of god j^mv^cthre scoir fyfetene 3^{er}is

Per signaturam

APPENDIX K.

20 August, 1575. Reg.Episc.Brech.II, pp.308-309.

Johne Erskyne's collation of the personage of Dwn.

Maister Jhone Wynrame Superintendent of Fyfe. To our
louit maister Andro Mylne minister or to onie vther ministeris
wythin oure jurisdictioun grace mercie and pax frome oure Lord
Jesus. Wit 3^e that oure Soverane Lordis lettres vnder his

hienes priwie seill being direct to ws presentand oure weil-
 belowit brother Jhone Erskine to the personage of Dwn lyand
 within the diocie of Sanctandrois and scherifdome off Forfare
 now vacand be deceiss of vmquhill maister James Erskine last
 persone and posessour thairof and requyring vs to admit the
 said Jhone to the foirsaid personage, seing it is knawin that
 he is sufficientlie qualifeit to vse the office of ministerie
 within the kirk of God. And thairfoir to authorize hym with
 testimonie of oure admissioun as effeiris, &c., according to
 the desyre quhairof knawin be large experience the sufficient
 qualificatioun the godlie literatour and gude conversatioun
 of the said Jhone, togidder wyth his greit laboris and dili-
 gent trawell sustenit in the ministerie of the kirk of God
 within this realme, we haif ressavit and admittit hym to the
 said personage. Theirfoir in the name of God we desyre 3ow
 or ony of 3ow being heirwith requirit to pas wyth the said
 Jhone to the foirsaid paroche kirk of Dwn, and thair (be plac-
 ing of hym in the pulpet and delyvering of the buke of God in
 hym to the reall and full possession of the said
 his handis) 3e entire personage teyndis fructis manse gleib
 and vtheris rentis of the saming quhatsomewir, as 3e will
 ansuer vpoun 3our dewtie and obedience. In witness quhairof
 to thir oure lettres of collocatioun and admissioun subscriyvit
 wyth oure hand oure seill of office is affixit at Kirknes the
 xx day of August, the 3eir of God 1575 3eris.

Maister Jhon Wynram, Superintendent of Fyffe.

APPENDIX L.

23 November, 1577.

Reg. Sec. Sig., XLIV, f. 118b.

Ane lettre maid To Johnne erskin apperand of dwn his airis
 & assignais ane or ma Off the gift of the waird nonentres
 mailles fermes proffittis and dewiteis of all and haill the
 landis and mylnis thairof vnderwrittin with thair pertinentis
 Viz. all and syndrie the landis of ballater auld dynnaroyf the
 mylentoun and myln thairof taldow blarquhairage with the croft

of ardmnach with all and syndrie thair annexis connexis
 pairtis pendiclis and pertinentis of the samin lyand in the
 lordschip of aboyn and scherrefdome of abirdene pertenyng to
 Maister williams gordoun of dunpersy in propriertie haldin be
 him of vmquhile george erle of huntlie that last deceissit of
 all zeiris and termes bygane that the samin hes bene in our
 souerane lordis handis be ressource of ward or nonentre sen
 the deceis of the said vmquhile erll or quhatsumeuir his pre-
 diccessouris last lauchfull tennentis to our said souerane
 lord and his prediccessouris possessouris of the saidis landis
 And siclyke of all zeiris and termes to cum ay and quhill the
 lauchfull entre of the rychtious air or airis thairto being
 of lauchfull aige with the releif thairto quhen it salhappin
 With Power etc. AT halieruidhous the xxiii day of November
 The zeir of god j^m v^c thre scoir sevintene zeiris g.

Per signaturam

APPENDIX M.

20 May, 1583. His Reg. Present. to Benefices, II, f. 89b.

Oure souerane lord ordanis ane lettre etc. Nominatand and
 presentand maister andro strathauchin minister to the person-
 age and vicarage of dvn annexis connexis and pertinentis of
 the same quhatsumeuir Vaicand be the resignatioun and simple
 dimissioun of Johnne erskin of dvn last possessour thairto
 direct to the commissioner within the boundis of angus
 Subscriuit At halyruidhous the xx day of Maij 1583.

APPENDIX N.

15 January, 1586-7. Reg. Sec. Sig., LV, f. 7a.

Ane respect maid To harie erskyn sone lauchfull to Robert
 erskyn fiear of dwn for the slauchter of umquhile Robert
 Irving sone to [blank] Irving of beltye Committit and done in
 the partis of flanderis vpoun suddentie ane zeir syne or

thairby be prouocatioun maid be the said vmquhile Robert to
 the said henry and sua in his awin defence contrair his will
 gif vtherwyiss the samyn nicht haue guidlie bene eschewit And
 for all actioun and cryme that may follow thairvpoun or be
 Imput to the said henrie thairthrow allanerlie And for the
 space of thre 3eiris nixtocum but reuocatioun to Indure etc.
 At halieruidhous 15 Jan. 1586-87 v li.

Per Signaturam

APPENDIX O.

5 November, 1587.

Reg. Sec. Sig., LVI, f. 81a.

Ane lettre maid Makand mentioun that our souerane loird
 considdering the lang earnest and fruitfull travellis Tane and
 bestowit be Johnne erskine of dwn Superintendent of anguss and
 mearnis In the suppressing of superstitioun papistrie and
 Idolatrie and avancement and propagatioun of the evangell of
 christ jesus the tyme of the reformatioun of the religioun
 and in his ydent and faythfull perseuerance in the samin con-
 tinewallie sensyne To the greit glorie of god and singulare
 comfort of all his hienes subiectis within the saidis boundis
 of angus and meirnis Now flurischeing abundantlie in the
 preching of the trew word of god and rycht administratioun
 of the sacramentis be the grace of god and ministerie of the
 said laird of dwn And thairwithall remembering his gude trew
 and thankfull service done and to be done be the said Johnne
 erskine of dwn Thairfoir his hienes with avise of maister
 robert dowglas provest of linclouden collectour generall Gevand
 grantand and disponand to the said Johnne erskine of dwn dur-
 ing all the dayis of his lyiftyme for his fee and stipend of
 the commissionare and visitatioun of the boundis of angus and
 meirnis quhairvnto he is provydit be the kirk All and haill
 the money and victuallis eftirspecifeit quhilk wes assignit to
 him of befoir furth of the thriddis of the beneficeis present-
 lie vndirwrittin as the particular assignationis maid to him

thairvpoun at mair lenth proportis That is to say out of the
thrid of the abbay of arbroth Ane hundreth threscoir ten pund
iiii & iid.^{3d}. Out of the thrid of the quheit thairof foure
chalderis twelf bollis ³/₄ boll. Out of the thrid of the beir
thairof Sex chalderis fourtene bollis thre firloittis ane pect
³/₄ peck And out of the same fyve chalder aucht bollis meill And
out of the thrid of the abbay of cowper fiftie tua pund XVI &
VIId.^{3d}. And out of the thrid of the charterhous twentie tua
pund Xd. and out of the thrid of Jedburgh and restennet twentie
fyve pund sex schillingis VIIId. the thrid of the quheit of
the bischoprik of brechin thre bollis ³/₄ boll. Out of the thrid
of the beir thairof fyve chalder 11 b. ³/₄ boll. Out of the thrid
of the meill thairof thre chalder Out of the thrid of the pre-
ceptorie of massindeu thirtene pund VIIs. VIIId. thomas knox
annuell in brechin XIIId. Out of the thrid of the personage of
edwy twentie sevin pund iis. iid.^{3d}. With power to the said laird
of dwn be him self his factouris Chalmerlanis and vthiris in
his name to vplift intromet and vptak all and haill the money
and victuallis abonewrittin furth of the particular thriddis
of the beneficeis abonementionat And gif neid beis to charge
call follow and persew all and sindrie the titularis of the
saidis beneficeis thair chalmerlanis and factouris And all
vthiris fewaris fermoraris Tennentis takismen possessouris and
occupyaris thairof and addettit in payment quhatsumevir of the
thriddis of the saidis beneficeis bayth money and victuallis
thairof And to transact compone and agrie thairvpoun And to
dispoun thairvpoun at his plesour as his awin propir guidis
during the space foirsaid The first 3^{er}is payment to be and
begin In this instant crope and 3^{er} of god j^m v^c fourescoir
sevin 3^{er}is And fra tymefurth during his lyiftyme as said is
Chargeing the collectour generall and thesauser of the new aug-
mentatioun present and to cum thair chalmerlanis factouris and
deputtis That thai onnawyiss stop trouble or mak impediment

quhatsumevir to the laird of dwn and his foirsaidis In the
 peccabill brouking Ioising vplifting Intrometting with vsing
 and disponyng vpoun the saidis thriddis of the beneficeis
 foirsaid assignit to him in maner abonespecifeit Bot to suffer
 him & his foirsaidis To peceable brouke Iois vse and dispoun
 thairvpoun at his plesour in maner foirsaid Declairing lyik-
 wyiss the said gift fee and assignatioun thairof abonewrittin
 to be nawyiss revocabill Nochtwythstanding quhatsumevir revoc-
 ationis bygane or to cum And nochtwithstanding of the act of
 annexatioun of the temporall landis of all beneficeis to the
 croun quhairwith his maiestie speciallie dispenssis Anent the
 premissis Requyring alsua the loirdis of sessioun and chekker
 To grant lettres at the said laird of dwn his instance for
 ansuering and obeying of him of all and haill the money and
 victuallis assignit to him for his fee of commissionare foir-
 said and to allow the samin in the 3eirlie comptis of the
 collectorie etc. AT halieruidhous the fyift day of november
 the 3eir of god j^m v^c fourescoir sevin 3eiris

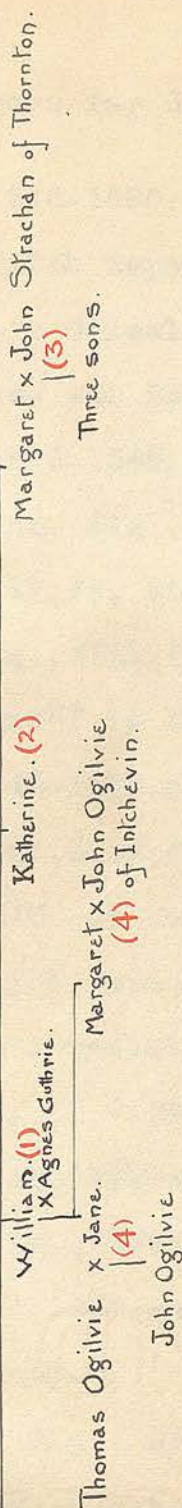
Per signaturam.

APPENDIX P. GENEALOGICAL CHART,

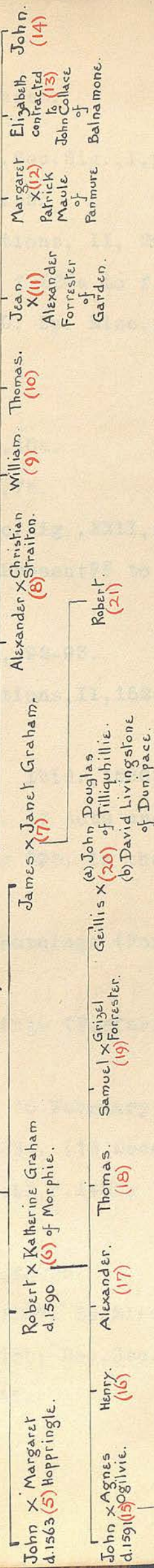
supplementing, in part, that contained in the Maitland Club edition of

Wodrow's Biographical Collections.

Sir John Erskine of Dun x Margaret Ruthven, dowager countess of Buchan.
d. 1513 | d. 1548



Elizabeth Lindsay (a) x John Erskine x (b) Barbara de Beirle.
d. 1538. the Superintendent d. 1590 d. 1572.



See p. 302 for references to sources.

Sources for Genealogical Chart.

- (1) R.M.S., 1546-1580, no.349; Reg.Sec.Sig.,I,p.535.
- (2) H.M.C., Fifth Report, p.639, no.55.
- (3) Macfarlane's Genealogical Collections, II, 269.
- (4) Reg. of Acts and Decrees, LIII, f.220a to f.221b.
- (5) R.M.S., 1513-1546, nos.1452,2640; Sp. Misc.,IV,33,40;
Reg.Sec. Sig.,XVI,f.5a.
- (6) Sp.Misc.,IV,46; etc.
- (7) Reg.Sec.Sig.,XXXI,f.50b; XXXIX,f.10a.
- (8) Reg. Present^{ns} to Benefices, I,f.7b.
- (9) R.M.S., 1546-1580,no.311; Reg.Sec.Sig.,XXII,f.93a.
- (10) Reg.Sec.Sig.,XLII,f.124b; Reg. Present^{ns} to Benefices,
I,f.31b. of fourth series.
- (11) See Scottish Antiquary, Vol.XIV, 92-93.
- (12) Macfarlane's Genealogical Collections,II,152-153.
- (13) Reg. Deeds, II,f.275.
- (14) R.M.S.,1546-1580,nos.1996,2587; Ibid.,1580-1593,no.874.
- (15) Reg.Sec.Sig.,XXXVII,f.14a; Reg. of Acts and Decrees,
LXXV,f.100b.in the inked, or 89b. in the pencilled,
numeration.
- (16) Reg. Sec. Sig., LV,f.7a; Reg. Hornings (Forfar) IV,
f.24a; R.P.C.,IV,633.
- (17) Reg. Deeds,XL,f.168; Reg. Hornings (Forfar) IV, under
date 27 September, 1592.
- (18) Protocol Book,18 August,1574,to 16 February,1578-79,
(Montrose Burgh Archives),f.3a. (13 December,1574).
- (19) Reg.Sec.Sig.,LIX,f.142b; Ibid.,LX,f.142b; H.M.C.,
Fifth Report,p.636,no.17.
- (20) Reg.Deeds,XX¹,f.337a; Ibid.,XX²,f.302b.
- (21) Reg. Deeds,xxvi,f.113.
- (22) R.M.S.,1580-1593,nos.1655,1656,1657; Sp.Misc.,IV,75.
- (23) Reg.Present. to Benefices,II,f.15b; Reg.Sec.Sig.,XLV,f.119a.
- (24) Reg. Deeds, XVI, f.443a. to f.445a.